

Proviso.
R. S. 3646, 717.
J. J. McElhone.

Domini eighteen hundred and eighty, and payable to the order of said John B. Jarse, after said Jarse shall furnish to said pension agent sufficient proof of the loss or non-payment of said check: *Provided*, That said John B. Jarse execute and deliver to said pension agent a bond with sureties, as required by section thirty-six hundred and forty-six of the Revised Statutes.

J. J. McElhone. SEC. 5.—To pay J. J. McElhone, chief of the corps of official reporters of the House of Representatives, for extra services and for clerk-hire paid out by him, one thousand dollars, for the first session of the Forty-seventh Congress, and to pay D. F. Murphy, official reporter of the Senate, for extra services and for clerk-hire paid out by him, one thousand dollars, for the first session of the Forty-seventh Congress.

D. F. Murphy.
Meaning of terms used in this act.

SEC. 6.—That in all cases in this act where the year for the use of the appropriation made is stated, for instance, the year "eighteen hundred and eighty-one," it is intended to indicate the year ending June thirtieth, eighteen hundred and eighty-one, and the same with any other year stated, it in all cases indicates the fiscal year. In all cases where no year is indicated it is understood that the appropriation is for the year ending June thirtieth eighteen hundred and eighty-two, for which deficiencies this act is principally intended.

Board of audit for the settlement and award of claims growing out of illness and burial of late President, James A. Garfield.

SEC 6.—That a board of audit consisting of the First and Second Comptrollers of the Treasury and the Treasurer of the United States, is hereby constituted, to whom shall be referred all claims and the determination of all just and reasonable allowances to be made growing out of the illness and burial of the late President, James A. Garfield; that the said board shall hear, and examine, and determine all questions arising out of said claims and proposed allowances, and shall make an award in each case for services rendered, or supplies furnished, which, when received, shall be taken in full compensation of all demand whatsoever; that said board of audit shall issue a certificate, signed by each member of said board, setting forth the amount awarded to each person, and on account of what services rendered, or supplies furnished, and shall transmit said certificate to the Secretary of the Treasury, who shall cause to be paid to the several persons named therein, or their legal representatives, the amount so certified; and to enable the Secretary of the Treasury to pay said awards the sum of fifty seven thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated; and of this amount not more than thirty-five thousand five hundred dollars in all shall be certified and paid for medical services and attendance; and in making said awards it shall be lawful for said board to make allowances to employees of the government for extra services in amounts not exceeding three months of their current pay: *Provided*, That no claim shall be considered and no allowance shall be made by said board on or after January first, eighteen hundred and eighty three: *And provided further*, That the aggregate amount of awards made by said board shall not exceed the amount hereby appropriated: *And provided further*, That no claim shall be considered under this section unless the person filing the same shall file a release under seal of all claims, etc., to be filed.

Award to be final and full compensation.

Appropriation.

Provisos.

Awards limited to appropriation.

Release under seal of all claims, etc., to be filed.

SEC. 6.—That no claim shall be considered and no allowance shall be made by said board on or after January first, eighteen hundred and eighty three: *And provided further*, That the aggregate amount of awards made by said board shall not exceed the amount hereby appropriated: *And provided further*, That no claim shall be considered under this section unless the person filing the same shall file a release under seal of all claims against the representatives of the late President growing out of said illness and burial.

Approved, August 5, 1882.

August 5, 1882.

CHAP. 391.—An act making appropriations for the naval service for the fiscal year ending June thirtieth, eighteen hundred and eighty three, and for other purposes.

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 they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the naval service of the government for the year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes:

Appropriations, naval service.

For the pay of the Navy, for the active-list, namely: For one Admiral, one Vice Admiral, twelve rear-admirals, eight chiefs of bureau, twenty-four commodores, forty-nine captains, eighty-nine commanders, eighty lieutenant-commanders, two hundred and eighty lieutenants, one hundred and one masters, one hundred ensigns, eighty-two midshipmen, fifteen medical directors, fourteen medical inspectors, fifty surgeons, seventy-nine passed assistant surgeons, ten assistant surgeons, two assistant surgeons not in the line of promotion, who shall, after fifteen years' service, be entitled to receive, as annual pay, when at sea, twenty one hundred dollars; when on shore duty, eighteen hundred dollars, and when on leave or waiting orders, sixteen hundred dollars; twelve pay directors, thirteen pay-inspectors, fifty paymasters, thirty passed assistant paymasters, twenty assistant paymasters, sixty nine chief engineers, one hundred passed assistant engineers, thirty-five assistant engineers, seventy-three cadet engineers (graduates), twenty-four chaplains, twelve professors of mathematics, ten naval constructors, seven assistant naval constructors, ten civil engineers, one hundred and ninety-one warrant-officers, forty-one mates, two hundred and one cadet-midshipmen (on probation), one hundred and two cadet-engineers, one hundred and thirty-cadet-midshipmen (not graduates); in all, four million forty-eight thousand three hundred dollars: *Provided*, That hereafter there shall be no appointments of cadet-midshipmen or cadet-engineers at the Naval Academy, but in lieu thereof naval cadets shall be appointed from each Congressional district and at large, as now provided by law for cadet-midshipmen, and all the undergraduates at the Naval Academy shall hereafter be designated and called "naval cadets;" and from those who successfully complete the six years' course appointments shall hereafter be made as it is necessary to fill vacancies in the lower grades of the line and Engineer Corps of the Navy and of the Marine Corps: *And provided further*, That no greater number of appointments into these grades shall be made each year than shall equal the number of vacancies which has occurred in the same grades during the preceding year; such appointments to be made from the graduates of the year, at the conclusion of their six years' course, in the order of merit, as determined by the academic board of the Naval Academy; the assignment to the various corps to be made by the Secretary of the Navy upon the recommendation of the academic board. But nothing herein contained shall reduce the number of appointments from such graduates below ten in each year, nor deprive of such appointment any graduate who may complete the six years' course during the year eighteen hundred and eighty-two. And if there be a surplus of graduates, those who do not receive such appointment shall be given a certificate of graduation, an honorable discharge, and one year's sea-pay, as now provided by law for cadet-midshipmen; and so much of section fifteen hundred and twenty-one of the Revised Statutes as is inconsistent herewith is hereby repealed.

That any cadet whose position in his class entitles him to be retained in the service may, upon his own application, be honorably discharged at the end of four years' course at the Naval Academy, with a proper certificate of graduation.

That the Secretary of the Navy may prescribe a special course of study and training at home or abroad for any naval cadet.

That the pay of naval cadets shall be that now allowed by law to cadet-midshipmen; and as much of the money hereby appropriated as may be necessary during the fiscal year ending June thirtieth, eighteen hundred and eighty-three, shall be expended for that purpose.

That the active-list of the medical corps of the Navy shall hereafter consist of fifteen medical directors, fifteen medical inspectors, fifty surgeons, and ninety assistant and passed assistant surgeons.

That the active-list of the pay corps of the Navy shall hereafter consist of thirteen pay-directors, thirteen pay-inspectors, forty paymasters, twenty passed assistant paymasters, and ten assistant paymasters.

Navy active-list.

Proviso.
Term "naval cadets" substituted for cadet-midshipmen.

Appointments to equal number of vacancies in each year; exception.

Surplus of graduates, how disposed of.

R. S. 1521, 261, repealed.

Discharge with certificate of graduation.

Special course of study may be prescribed.

Pay of naval cadets.

Active-list of medical corps to consist of, etc.

Pay corps of Navy to consist of, &c.

Engineer corps of Navy to consist of, etc.

That the active-list of the engineer corps of the Navy shall hereafter consist of ten chief engineers with the relative rank of captain, fifteen chief engineers with the relative rank of commander, forty-five chief engineers with the relative rank of lieutenant-commander or lieutenant, sixty passed assistant engineers, and forty assistant engineers, with the relative rank for each as now fixed by law; and after the number of officers in the said grades shall be reduced as above provided, the number in each grade shall not exceed the reduced number which is fixed by the provisions of this act for the several grades.

Exemptions.

That no officer now in the service shall be reduced in rank or deprived of his commission by reason of any provision of this act reducing the number of officers in the several staff corps: *Provided*, That no further appointments of cadet-engineers shall be made by the Secretary of the Navy under section three of the act of eighteen hundred and seventy-four.

Proviso.

18 Stat., 192.

Promotions to be made as vacancies occur, only, etc.

That as vacancies shall occur in any of the grades of the medical, pay, and engineer corps of the Navy, no promotion shall be made to fill the same until the number in said grade shall be reduced below the number which is fixed by the provisions of this act for such grade.

Retired-list.

For pay of the retired-list, namely: For forty-two rear-admirals, twenty commodores, twelve captains, ten commanders, fifteen lieutenant-commanders, eight lieutenants, eleven masters, five ensigns, two midshipmen, twenty-two medical directors, two medical inspectors, two surgeons, five passed assistant surgeons, seven assistant surgeons, nine pay-directors, two pay-inspectors, three paymasters, two passed assistant paymasters, one assistant paymaster, nine chief engineers, nineteen passed assistant engineers, twenty-five assistant engineers, nine chaplains, seven professors of mathematics, three naval constructors, ten boatswains, five gunners, thirteen carpenters, and ten sailmakers; in all, six hundred and ninety-seven thousand nine hundred and twenty-five dollars. Hereafter only one-half of the vacancies in the various grades in the line of the Navy shall be filled by promotion until such grades shall be reduced to the following numbers, namely: rear admirals, six; commodores, ten; captains, forty-five; commanders, eighty-five; lieutenant commanders, seventy-four; lieutenants, two hundred and fifty; masters, seventy-five; ensigns, seventy-five; and thereafter promotions to all vacancies shall be made but not to increase either of said grades above the numbers aforesaid. Hereafter there shall be no promotion or increase of pay in the retired list of the Navy but the rank and pay of officers on the retired list shall be the same that they are when such officers shall be retired: *And provided further*, That whenever on an inquiry had pursuant to law, concerning the fitness of an officer of the Navy for promotion, it shall appear that such officer is unfit to perform at sea the duties of the place to which it is proposed to promote him, by reason of drunkenness, or from any cause arising from his own misconduct, and having been informed of and heard upon the charges against him, he shall not be placed on the retired-list of the Navy, and if the finding of the board be approved by the President, he shall be discharged with not more than one year's pay.

Vacancies, how filled.

Promotions and increase of pay prohibited.

Proviso.

Unfitness for promotion sufficient cause for discharge, instead of placed on retired-list, etc.

Petty officers and men.

For pay to petty-officers, seamen, ordinary seamen, landsmen, and boys, including men in the engineers' force, and for the Coast Survey Service, not exceeding eight thousand two hundred and fifty in all, two million four hundred and ninety thousand dollars.

Secretaries, clerks to paymasters, etc., extra pay.

Mileage.

For two secretaries, one to the Admiral and one to the Vice Admiral, clerks to paymasters, clerks at inspections, navy-yards, and stations, and extra pay to men enlisted under honorable discharge; commission and interest, transportation of funds, exchange, mileage to officers while traveling under orders in the United States, and for actual personal expenses of officers while traveling abroad under orders; and officers of the Navy traveling abroad under orders hereafter issued shall travel by the most direct route, the occasion and necessity for such order to be certified by the officer issuing the same; and shall receive, in lieu of

the mileage now allowed by law, only their actual and reasonable expenses, certified under their own signatures and approved by the Secretary of the Navy; and for the payment of any such officers as may be in service, either upon the active or retired list, during the year ending June thirtieth, eighteen hundred and eighty-three, in excess of the numbers of each class provided for in this act, and for any increase of pay arising from different duty, as the needs of the service may require, three hundred thousand dollars. And all officers of the Navy shall be credited with the actual time they may have served as officers or enlisted men in the regular or volunteer Army or Navy, or both, and shall receive all the benefits of such actual service in all respects in the same manner as if all said service had been continuous and in the regular Navy: *Provided*, That nothing in this clause shall be so construed as to authorize any change in the dates of commission or in the relative rank of such officers. And should the sums appropriated for the pay of the officers on the active and retired lists of the Navy be insufficient, then and in that case the Secretary of the Navy is hereby authorized to use any and all balances which may be due or become due to "pay of the Navy," from the other bureaus of the department, for that purpose.

Pay of officers, the number of which may be in excess of quota fixed by provisions of this act.

Credit of service.

Proviso.

Balances of certain appropriations may be used, etc., for pay of officers.

Contingent expenses.

For contingent expenses of the Navy, namely: For rent and furniture of buildings and offices not in navy-yards; expenses of courts-martial and courts of inquiry, boards of investigation, examining boards, with clerks' and witnesses' fees, and traveling expenses and costs; stationery and recording; expenses of purchasing paymasters' offices at the various cities, including clerks, furniture, fuel, stationery and incidental expenses; newspapers and advertising; foreign postage; telegraphing, foreign and domestic; telephones; copying; care of library; mail and express wagons and livery and express fees and costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress and pilotage; recovery of valuables from shipwrecks; quarantine expenses; care and transportation of the dead; reports, professional investigation, and information from abroad; and all other emergencies, and extraordinary expenses arising at home or abroad, but impossible to be anticipated or classified, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, one hundred thousand dollars.

Extraordinary expenses.

BUREAU OF NAVIGATION.

For foreign and local pilotage and towage of ships of war; services and materials in correcting compasses on board ship, and for adjusting and testing compasses on shore; nautical and astronomical instruments, nautical books, maps, charts, and sailing directions, and repairs of nautical instruments for ships of war; books for libraries for ships of war; naval signals and apparatus, namely, signal-lights, lanterns, rockets, running-lights, drawings, and engravings for signal-books; compass-fittings, including binnacles, tripods, and other appendages of ships' compasses; logs and other appliances for measuring the ship's ways, and leads and other appliances for sounding; lanterns and lamps, and their appendages, for general use on board ship, including those for the cabin, ward-room, and steerage, for the holds and spirit-room, for decks and quartermasters' use; bunting and other materials for flags, and making and repairing flags of all kinds; oil for ships of war other than that used for the engineer department, candles when used as a substitute for oil in binnacles and running-lights, for chimneys and wicks, and soap, used in navigation department; stationery for commanders and navigators of vessels of war, and for use of courts-martial; musical instruments and music for vessels of war; steering-signals and indicators, and for speaking-tubes and gongs, for signal communication on board vessels of war, one hundred thousand dollars.

Navigation supplies.

For experimenting in lighting vessels of war by means of electricity, five thousand dollars.

experiments in lighting vessels of war by electricity.

- Transfer, etc., of photolithographic charts. For beginning the transfer to copper-plates of five hundred and thirty photolithographic charts, fifteen thousand dollars.
- Contingent expenses. For contingent expenses of the Bureau of Navigation, namely: For freight and transportation of navigation materials; postage and telegraphing on public business; advertising for proposals; packing-boxes and materials; and all other contingent expenses, four thousand dollars.
- Civil establishment. For the civil establishment at naval-yards and stations, five thousand two hundred and eight dollars and sixty-two cents.
- Completion of survey of west coast of Mexico, etc. To complete survey of west coast of Mexico and extend the same to the Gulf of Dulce, fourteen thousand dollars.

BUREAU OF ORDNANCE.

- Ordnance stores and supplies. For fuel, tools, materials, and labor used in procuring, producing, and preserving ordnance material; for the armament of ships, and for the general work of the Ordnance Department for these purposes, one hundred and fifty thousand dollars. The words "ordnance" and "gunpowder" in section thirty-seven hundred and twenty-one of the Revised Statutes shall be construed to mean offensive and defensive arms, ammunition, and explosives, the apparatus for their military use, and the materials for producing the whole, and also transportation, necessary information concerning them, and whatever is requisite in military experiments with them.
- Meaning of words "ordnance" and "gunpowder" in R. S. 3721, 735. For steel rifled breech-loading guns, with carriages and ammunition, one hundred thousand dollars.
- Steel rifled breech-loading guns. For necessary repairs to ordnance buildings, magazines, gun-parks, boats, lighters, wharves, machinery, and other objects of the like character (including the necessary building at the magazine at Mare Island for filling powder and shell and storing empty tanks, two thousand five hundred dollars), seventeen thousand five hundred dollars.
- Repairs, etc. For miscellaneous items, namely: For freight to foreign and home stations, advertising and auctioneers' fees, cartage and express charges, repairs to fire-engines, gas and water pipes, gas and water tax at magazines, toll, ferriage, foreign postage, and telegrams, three thousand five hundred dollars.
- Powder house, etc., at magazine, Mare Island. For the civil establishment at naval-yards and stations, five thousand nine hundred and forty-three dollars and twelve cents.
- Miscellaneous. For the torpedo corps, namely: For labor, material, and freight and express charges; general repairs to grounds, buildings, and wharves; boats; instruction, experiments, and general torpedo outfits; purchase of torpedoes and appliances for their use, sixty thousand dollars.

BUREAU OF EQUIPMENT AND RECRUITING.

- Equipment of vessels. For equipment of vessels: For coal for steamers' and ships' use, including expenses of transportation, storage, and handling; hemp, wire, and other materials for the manufacture of rope; hides, cordage, canvas, leather, iron for manufacture of cables, anchors, galleys, and chains; furniture, wood, hose, bake-ovens, and cooking-stoves; boat-detaching apparatus; life-rafts for monitors; heating-apparatus for receiving-ships; and for the payment of labor in equipping vessels and manufacture of equipment articles in the several navy-yards, seven hundred and fifty thousand dollars.
- Recruiting. For expenses of recruiting: For expenses of recruiting, rent of rendezvous, and expenses of maintaining the same, advertising for men and boys, and all other expenses attending the recruiting for the naval service, ten thousand dollars.
- Transportation of enlisted men. For transportation of enlisted men: For expenses attending the transportation of enlisted men and boys at home and abroad, thirty-five thousand dollars.

For contingent expenses equipment and recruiting: For extra expenses of training-ships, freight and transportation of equipment stores, printing, advertising, telegraphing, books and models, postage, cartickets, ferriage, ice, apprehension of deserters and stragglers, assistance to vessels in distress, continuous-service certificates and good-conduct badges for enlisted men, school-books for training-ships, extra medals for boys, and emergencies arising under cognizance of Bureau of Equipment and Recruiting unforeseen and impossible to classify, fifteen thousand dollars.

Contingent expenses.

For the civil establishment at navy-yards and stations, nine thousand one hundred and twenty five dollars and eighty-seven cents,

Civil establishment.

BUREAU OF YARDS AND DOCKS.

For general maintenance of yards and docks, namely: For freight and transportation of materials and stores, books, models, maps, and drawings; purchase and repair of fire engines; machinery, and patent rights to use the same; repairs on steam fire-engines, and attendance on the same; purchase and maintenance of oxen and horses, and driving teams, carts, and timber-wheels for use in the navy-yards, and tools and repairs of the same; dredging; postage and telegrams; furniture for government houses and offices in the navy-yards; coal and other fuel; candles, oil, and gas; cleaning and clearing up yards, and care of public buildings; attendance on fires; lights; fire-engines and apparatus; for clerical and incidental labor at navy-yards; water-tax, and for toll and ferriages; rent of officers quarters at League Island; pay of the watchman in the navy-yards; and for awning and packing-boxes, two hundred and twenty thousand dollars.

Yards and docks.

For contingent expenses that may arise at navy-yards and stations, twenty thousand dollars.

Contingent expenses.

For the civil establishment at navy-yards and stations, eighteen thousand nine hundred and fifty-three dollars and twelve cents: *Provided*, That if the Secretary of the Navy shall find that work at all the navy-yards now maintained cannot be carried on during the current fiscal year with advantage to the service and economy to the government for the amounts in this act appropriated for the maintenance of and civil establishment at the navy yards, he shall not make any deficiency for these purposes, but he shall suspend work at those yards where he finds it can best be dispensed with, and shall close such yards and transfer all perishable property and stores therefrom to other yards for use therein, and report the facts and the reasons governing his action to the next session of Congress; and at the yards so closed only such officers and employees shall be retained as are necessary to preserve and take care of the property of the government, and all other persons shall be transferred or discharged: *Provided further*, That the navy-yard at Washington, District of Columbia, may, at the discretion of the Secretary of the Navy, be maintained as a manufacturing yard for the Bureaus of Equipment and Recruiting and Ordnance, and that work may be continued in the rope-walk in the Boston navy-yard: *And provided further*, That nothing herein shall be held to interfere with the permanent improvement of any navy-yard as now authorized by law, or the expenditure for such purpose of any money appropriated by Congress therefor.

Civil establishment.
Proviso.

Suspension of work, etc., at yards.

Proviso.
Work at navy-yards, Washington and Boston.

Proviso.

That the Secretary of the Navy be, and he is hereby, authorized and directed to ascertain on what terms can be had such additional lands and water front contiguous to the Norfolk navy-yard as are deemed necessary for the construction of a wet-dock, and such other works as are demanded for the sufficient capacity and efficiency of that yard; and that he report the result of such negotiations to the next session of Congress.

Navy-yard, Norfolk.

Proposed purchase of additional land and water front for wet-dock, etc.

That the Secretary of the Navy shall appoint a commission, to consist of three persons, one of whom shall be appointed from the line officers

Commission to examine and re-

port as to sale of
navy-yards, etc.

and one from the staff officers of the Navy, and one from civil life, which commission shall consider and report to the next session of Congress upon the question whether it is advisable to sell any of the navy-yards, and, if so, which; and as to each of said yards said commission shall report as to its cost, its area, its present value, including in separate items the value of the land, structures, machinery, and other personal property; the depth of water at the yard, and whether it remains and will remain at such depth, or will require expense to keep open its water communication; its condition as to being in working order or otherwise; the condition and value of its "plant" in the different departments; its advantages and disadvantages as a naval station, and for the construction of vessels; its probable value for other purposes, in case the yard is discontinued; whether there is any demand for the yard for mercantile or other purposes; whether it can probably be sold, and at what price, in case of discontinuance; the annual cost during each of the past fifteen years of maintaining it; the value of what it has produced during each of said years, so far as it can be ascertained; its value or necessity for purposes of defense on that part of the coast where it is situated, or in general, and also as regards any city in its vicinity; and any other facts which such commission may deem useful or advisable to report in regard to this question.

BUREAU OF MEDICINE AND SURGERY.

- Surgeons' necessaries.** For support of the medical department, for surgeons' necessaries for vessels in commission, navy-yards, naval stations, Marine Corps, and Coast Survey, forty thousand dollars.
- Hospital fund.** For the naval-hospital fund, namely: For maintenance of the naval hospitals at the various navy-yards and stations, thirty thousand dollars. And if the Secretary of the Navy shall not be able to maintain properly the whole number of naval hospitals now kept open, on the amounts hereby appropriated for the maintenance of and civil establishment at naval hospitals, he shall close those which are least necessary to the service, and provide for the patients now cared for therein at such other naval hospitals as may be most convenient.
- Contingent expenses.** For contingent expenses of the bureau: For freight on medical stores; transportation of insane patients to the government hospital; advertising; telegraphing; purchase of books; expenses attending the medical board of examiners; rent of rooms for naval dispensary; purchase and repair of wagons and harness; purchase and feed of horses and cows; trees, garden-tools, and seeds, fifteen thousand dollars.
- Repairs.** For necessary repairs of naval laboratory, naval hospitals, and appendages, including roads, wharves, out-houses, sidewalks, fences, gardens, farms, and cemeteries, fifteen thousand dollars.
- Civil establishment.** For the maintenance of the civil establishment at the several naval hospitals, navy-yards, naval laboratory, and Naval Academy, twenty thousand dollars.
- Investigation of atmospheric impurities.** For continuing investigations of atmospheric impurities, two thousand dollars.

BUREAU OF PROVISIONS AND CLOTHING.

- Provisions and Clothing.** For provisions for the seamen and marines; commuted rations for officers, seamen, and marines; expenses of the handling and transportation of provisions; of inspections and storhouses; and for purchase of water for ships, for cooking and drinking purposes, and for provisions and commutation of rations for seven hundred and fifty boys, one million dollars.
- Contingent expenses.** For contingent expenses: For freight on shipments (except provisions), candles, fuel; books and blanks; stationery; advertising and commissions on sales; foreign postage, telegrams, and express charges; toll, ferriages, and car-tickets; and yeoman's stores, iron safes, ice,

newspapers, and incidental expenses absolutely necessary, fifty thousand dollars.

For civil establishment, six thousand two hundred and five dollars and seventy-five cents.

Civil establishment.

BUREAU OF CONSTRUCTION AND REPAIR.

For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; labor in navy-yards and on foreign stations; preservation of materials; purchase of tools; wear, tear, and repair of vessels afloat, and for general care, increase, and protection of the Navy in the line of construction and repair, and incidental expenses, namely, advertising and foreign postage, one million seven hundred and fifty thousand dollars: *Provided*, That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs shall exceed thirty per centum of the estimated cost of a new ship of the same size and like material: *Provided*, Nothing herein contained shall deprive the Secretary of the authority to order repairs of ships damaged in foreign waters or on the high seas, so far as may be necessary to bring them home. Any portion of said sum not required for the purposes aforesaid may be applied toward the construction of two steam cruising vessels of war, which are hereby authorized, at a total cost, when fully completed, not to exceed the amount estimated by the late Naval Advisory Board for such vessels, the same to be constructed of steel, of domestic manufacture, having as near as may be a tensile strength of not less than sixty thousand pounds to the square inch, and a ductility in eight inches of not less than twenty five per centum; said vessels to be provided with full sail-power and full steam-power. One of said vessels shall be of not less than five thousand nor more than six thousand tons displacement, and shall have the highest attainable speed, and shall be adapted to be armed with not more than four breech-loading rifled cannon, of high power, of not less than eight-inch caliber, or two of ten-inch caliber, and not more than twenty-one breech-loading rifled cannon, of high power, of not less than six-inch caliber; one of said vessels shall be of not less than four thousand three hundred nor more than four thousand seven hundred tons displacement, and shall have the highest attainable speed, and shall be adapted to be armed with four breech-loading rifled cannon, of high power, of not less than eight-inch caliber, or two of ten-inch caliber, and not more than fifteen breech-loading rifled cannon, of high power, of not less than six-inch caliber. The Secretary of the Navy is hereby empowered and directed to organize a board of naval officers and experts for his advice and assistance, to be called the "Naval Advisory Board," to serve during the period required for the construction, armament, and trial of the vessels hereby authorized to be constructed, and no longer. Said board shall consist of five officers on the active list of the Navy in the line and the staff, to be detailed by the Secretary of the Navy, without reference to rank and with reference only to character, experience, knowledge, and skill, and two persons of established reputation and standing, as experts in naval or marine construction, to be selected from civil life, and employed for this sole duty by the Secretary of the Navy, and to be paid such sum, out of the appropriation hereby made, not exceeding eleven thousand dollars, as he may direct: *Provided however*, That no person shall be a member of said board who has any interest, direct or indirect, in any invention, device, or process, patented or otherwise, to be used in the construction of said vessels, their engines, boilers, or armament, nor in any contract for the same. It shall be the duty of said board to advise and assist the Secretary of the Navy, in his office or elsewhere, in all matters referred to them by him relative to the designs, models, plans, specifications, and contracts for said vessels in all their parts, and relative to the materials to be used therein and to the construction thereof, and espe-

Construction, preservation, etc., of vessels, etc

Provido.
Repairs of wooden ships.

Repairs of ships abroad.

Construction of two steam cruising vessels; limit of cost; to be built of steel.

Tonnage.

Speed.
Armament.

Appointment of a Naval Advisory Board authorized.

Compensation.

Provido.

Duties.

cially relative to the harmonious adjustment, respectively, of their hulls, machinery, and armament; and they shall examine all materials to be used in said vessels, and inspect the work on the same as it progresses, and have general supervision thereof, under the direction of said Secretary. But said board shall have no power to make or enter into any contract, nor to direct or control any officer of the Navy, the chief of any bureau of the Navy, or any contractor. Neither of the vessels hereby authorized to be built shall be contracted for or commenced until full and complete detail drawings and specifications thereof, in all its parts, including the hull, engines, and boilers, shall have been provided or adopted by the Navy Department, and shall have been approved, in writing, by said board, or by a majority of the members thereof, and by the Secretary of the Navy; and after said drawings and specifications have been provided, adopted, and approved as aforesaid, and the work has been commenced or a contract made for it, they shall not be changed in any respect, when the cost of such change shall in the construction exceed five hundred dollars, except upon the approval of said board, or a majority of the members thereof, in writing, and upon the written order of the Secretary of the Navy; and, if changes are thus made, the actual cost thereof and the damage caused thereby shall be ascertained, estimated, and determined by said board; and in any contract made pursuant to this act it shall be provided in the terms thereof that the contractor shall be bound by the determination of said board, or a majority thereof, as to the amount of the increased or diminished compensation said contractor shall be entitled to receive, if any, in consequence of such change or changes. The Secretary of the Navy is hereby authorized to cause the said cruising vessels of war aforesaid to be provided with interior defective steel armor, if the same, upon full investigation, shall seem to be practicable and desirable, and if the same shall be approved by said board, or a majority thereof, in writing. Before any of the vessels hereby authorized shall be contracted for or commenced the Secretary of the Navy shall, by proper public advertisement and notice, invite all engineers and mechanics of established reputation, and all reputable manufacturers of vessels, steam-engines, boilers, and ordnance, having or controlling regular establishments, and being engaged in the business, all officers of the Navy, and especially all naval constructors, steam-engineers, and ordnance officers of the Navy, having plans, models, or designs of any vessels of the classes hereby authorized, or of any part thereof, within any given period, not less than sixty days, to submit the same to said board; and it shall be the duty of said board to carefully and fully examine the same and to hear any proper explanation thereof, and to report to the Secretary of the Navy, in writing, whether, in their opinion, any such plan, model, or design, or any suggestion therein, is worthy of adoption in the construction of said vessels, their engines, boilers, or armament; and if in such construction any such plan, model, design, or suggestion shall be adopted, for the use of which any citizen not an officer of the Navy would have a just claim for compensation, the contractor shall bind himself to discharge the government from all liability on account of such adoption and use: *Provided*, That said Naval Advisory Board herein provided for shall, under the direction of the Secretary of the Navy, prepare plans, drawings, and specifications for vessels, their machinery, and armament, recommended by the late Naval Advisory Board not herein authorized to be built.

Drawings, specifications made, etc.; when adopted and approved, no change to be made except, etc.

Compensation in case of change, etc., in construction.

Interior defective steel armor.

Public advertisement, etc., for plans, models, designs, etc.

Board to examine and report, etc.

Proviso.
Board to prepare plans, drawings, etc., for vessels, machinery, and armament.

Civil establishment.

For the civil establishment, twenty thousand and fifty two dollars and eighty-seven cents.

BUREAU OF STEAM-ENGINEERING.

Steam machinery.

For repairs, completion, and preservation of machinery and boilers in vessels on the stocks and in ordinary; purchase and preservation of all

materials and stores; and patent rights, purchase, fitting, and repair of machinery and tools in the navy-yards and stations; wear, tear, and repair of machinery and boilers of naval vessels; incidental expenses, such as foreign postages, telegrams, advertising, freight, photographing, books, and instruments, one million six hundred thousand dollars: *Provided*, That no part of said sum shall be applied to the repair of engines and machinery of wooden ships where the estimated cost of such repair shall exceed thirty per cent, of the estimated cost of new engines and machinery of the same character and power. That four hundred thousand dollars of the above amount, or so much thereof as may be necessary, shall be applied by the Secretary of the Navy to the following objects, namely: Under the Bureau of Construction and Repair: To building and fitting the turrets and pilot-house of the iron-clad steamer Miantonomoh; and to the launching to the best advantage with such necessary attachments and appliances as will render redocking of the ships unnecessary, of the iron-clad steamers Monadnock, Puritan, Amphitrite, and Terror; and that no further steps shall be taken or contracts entered into or approved for the repairs or completion of any of the four iron-clads aforesaid until the further order of Congress; and the Naval Advisory Board, created by this act, is directed to report to the Secretary of the Navy in detail by the first day of December, eighteen hundred and eighty two, as to the wisdom and expediency of undertaking and completing the engines, armor, and armaments of said iron-clads, and whether any changes in the original plan or plans should be made, together with the cost of the completion of each according to the plans recommended, if the completion of any of them is recommended; and the said Secretary shall transmit said report to Congress at its next session with his recommendation thereon, and that any part of the appropriation for said bureau not used as above specified may be applied toward the construction of engines and machinery of the two new cruising vessels provided for in this act.

Proviso

Iron-clad steamers Miantonomoh, and Monadnock, Puritan, Amphitrite, and Terror.

Naval Advisory Board to examine and report on completing engines, etc.

For the purchase of one testing-machine, for making tests of plate-iron, and so forth, six thousand dollars.

Purchase of testing-machine.

For contingencies, such as instruments and materials for draughting-room, one thousand dollars.

Contingent expenses.

For the civil establishment, ten thousand and nineteen dollars.

Civil establishment.

NAVAL ACADEMY.

Naval Academy.

For pay of professors and others: For two professors, namely, one of mathematics and one of chemistry, at two thousand five hundred dollars each; three professors (assistants), namely, one of physics, one of Spanish, and one of English studies, history, and law, at two thousand two hundred dollars each; six assistant professors, namely, four of French, one of English studies, history, and laws, and one of drawing, at one thousand eight hundred dollars each; swordmaster, at one thousand five hundred dollars, and two assistants, at one thousand dollars each; boxing-master and gymnast, at one thousand two hundred dollars; assistant librarian, at one thousand four hundred dollars; secretary of the Naval Academy, one thousand eight hundred dollars; three clerks to superintendent, at one thousand two hundred dollars, one thousand dollars, and eight hundred dollars, respectively; one clerk to commandant of cadets, one thousand two hundred dollars; one clerk to paymaster, one thousand dollars; one dentist, one thousand six hundred dollars; one baker, six hundred dollars; one mechanic in department of physics and chemistry, seven hundred and thirty dollars; one messman, two hundred and eighty-eight dollars; one cook, three hundred and twenty-five dollars and fifty cents; one messenger to superintendent, six hundred dollars; one armorer, five hundred and twenty-nine dollars and fifty cents; one gunner's mate, four hundred and sixty-nine dollars and fifty cents, and one quarter-gunner, four hundred and nine dollars and fifty cents; one cockswain, four hundred and sixty-nine dollars and fifty cents; one

Pay of professors and others.

seaman in the department of seamanship, one seaman in the department of astronomy, and one seaman in the department of physics and chemistry, at three hundred and forty-nine dollars and fifty cents each; one bandmaster, five hundred and twenty-eight dollars; twenty-one first-class musicians, at three hundred and forty-eight dollars each; seven second class musicians, at three hundred dollars each; in all, fifty-two thousand five hundred and six dollars.

Captain of watch, watchmen, and others.

For pay of watchmen and others: For captain of the watch and weigher, at two dollars and fifty per day; four watchmen, at two dollars per day each; foreman of the gas and steam heating works of academy, at five dollars per day; ten attendants at gas and steam-heating works, one at three dollars, one at two dollars and fifty cents, and eight at two dollars per day each; one steam-pipe fitter, six hundred dollars; one foreman of joiners, one foreman of painters, and one foreman of masons, at three dollars and fifty-cents per day each; one mason, at three dollars per day; two joiners and one painter at two dollars and fifty cents per day each; one tinner, one gas fitter, and one blacksmith, at two dollars and fifty cents per day each; in all, twenty-four thousand five hundred and seven dollars and fifty cents.

Mechanics and laborers.

For pay of mechanics and others: For one mechanic at workshop, at two dollars and twenty-five cents per diem; one master-laborer, to keep public grounds in order, at two dollars and twenty-eight cents per diem; fourteen laborers, to assist in same, three at two dollars per diem each and eleven at one dollar and fifty cents per diem each; one laborer, to superintend quarters of cadet-midshipmen and public grounds, at two dollars per diem; six attendants at recitation-rooms, library, paymaster's office, chapel and offices, and store, at twenty dollars per month each; twenty servants, to keep in order and attend to quarters of cadet-midshipmen and public buildings, at twenty dollars per month each; in all, sixteen thousand eight hundred and thirty-five dollars and ninety-five cents.

Employees in department of steam-engineering.

For pay of employees in the department of steam-engineering: For master machinist, boilermaker, and pattern-maker, at one thousand two hundred and seventy-seven dollars and fifty cents per annum each; two machinists, one blacksmith, and one molder, at nine hundred and twelve dollars and fifty cents per annum each; and two laborers, at five hundred and forty-seven dollars and fifty cents per annum each; in all eight thousand five hundred and seventy-seven dollars and fifty cents.

Repairs of buildings, etc.

For necessary repairs of public buildings, pavements, wharves, and walls inclosing the grounds of the Naval Academy, and for improvements, repairs, and furniture and fixtures, twenty-one thousand dollars

Fuel, lights, etc.

For fuel, and for heating, and lighting the academy and school-ships, seventeen thousand dollars.

Contingent expenses.

For contingent expenses, Naval Academy: For purchase of books for the library, two thousand dollars.

Stationery.

For stationery, blank-books, models, maps, and for text-books for use of instructors, two thousand dollars.

Board of visitors.

For expenses of the board of visitors to the Naval Academy, two thousand six hundred dollars.

Chemicals, etc.

For purchase of chemicals, apparatus, and instruments in the department of physics and chemistry, and for repairs of the same, two thousand five hundred dollars.

Miscellaneous.

For purchase of gas and steam machinery; steam-pipe and fittings; rent of building for the use of the academy; freight, cartage, water, music, musical and astronomical instruments; uniforms for the bandmen, telegraphing; and for feed and maintenance of teams; and for the current expenses and repairs of all kinds; and for incidental labor and expenses not applicable to any other appropriation, thirty-four thousand six hundred dollars.

For stores in the department of steam-engineery, eight hundred dollars.
For materials for repairs in steam-machinery, one thousand dollars.

MARINE CORPS.

For pay of officers on the active-list, as follows: For one colonel commandant, one colonel, two lieutenant-colonels, one adjutant and inspector, one quartermaster, one paymaster, four majors, two assistant quartermasters, one judge-advocate-general United States Navy, nineteen captains, thirty first lieutenants, and fourteen second lieutenants, one hundred and seventy-two thousand eight hundred and forty dollars.

For pay of officers on the retired-list: For one colonel, one lieutenant-colonel, three majors, two assistant quarter-masters, two captains, three first lieutenants, and three second lieutenants, twenty-seven thousand three hundred and seventy dollars.

For pay of non-commissioned officers, musicians, and privates: For one leader of the band, one sergeant-major, one quartermaster sergeant, and one drum major, fifty first sergeants, one hundred and forty sergeants, one hundred and eighty corporals, thirty musicians, ninety six drummers and fifers, and one thousand five hundred privates, three hundred and eighty-nine thousand and fifty-two dollars.

For ten clerks and two messengers, sixteen thousand and thirty-five dollars; payments to discharged soldiers for clothing undrawn, twenty thousand dollars; transportation of officers traveling under orders without troops, eight thousand dollars; commutation of quarters for officers where there are no public buildings, ten thousand dollars; in all, fifty-four thousand and thirty-five dollars.

For provisions, sixty-eight thousand and thirteen dollars and ten cents. Provisions.

For clothing, seventy-nine thousand eight hundred and twenty-three dollars and forty cents. Clothing.

For fuel, eighteen thousand four hundred and ninety-six dollars and fifty cents. Fuel.

For military stores, namely: For pay of one chief armorer, at three dollars per day; three mechanics, at two dollars and fifty cents per day each; purchase of military equipments, such as cartridge-boxes, bayonet-scabbards, haversacks, blanket-bags, canteens, musket-slings, swords, flags, knapsacks, drums, fifes, bugles, and other instruments, five thousand dollars; for purchase of one hundred Springfield rifles, one thousand five hundred dollars; purchase of ammunition, one thousand dollars; purchase and repair of instruments for the band, and purchase of music, five hundred dollars; in all, eleven thousand two hundred and eighty-six dollars and fifty cents. Stores.

For transportation of troops and for expenses of recruiting, ten thousand dollars. Transportation and recruiting.

For repairs of barracks, and rent of buildings to be used for the manufacture of clothing, stores for supplies, and offices of assistant quartermaster at Philadelphia, and for hire of quarters where there are no public buildings, thirteen thousand dollars. Repairs of barracks.

For forage for four public horses, one for messenger to commandant and staff, Washington, District of Columbia, and three for general use at marine barracks, Mare. Island, California, and League Island, Pennsylvania, seven hundred and twenty dollars. Forage.

For the purchase of forage, four thousand six hundred and eighty dollars: *Provided*, That no commutation for forage shall be paid.

For contingencies, namely: For freight; ferriage; toll; cartage; funeral expenses of marines; stationery; telegraphing; rent of telephone; apprehension of deserters; per diem to enlisted men employed on constant labor; repair of gas and water fixtures; office and barrack furniture; packing-boxes; wrapping-paper; oil-cloth; crash; rope; twine; carpenter's tools; tools for police purposes; purchase and repair of hose; repairs to public carryall; purchase and repair of harness; purchase and repair of hand-carts and wheel-barrows; purchase and repair of cooking-stoves, ranges, and so forth; stoves where there are no grates; purchase of ice; towels and soap for offices; improving parade- Contingencies.

grounds; repair of pumps; and for other purposes, including gas and oil for marine barracks maintained at the various navy-yards and stations; and water at marine barracks, Boston Massachusetts; Brooklyn New York; and Mare Island, California; also straw for bedding for enlisted men at the various posts, and furniture for government houses, twenty-five thousand dollars.

Naval Asylum.

At the Naval Asylum, Philadelphia, Pennsylvania; For superintendent, six hundred dollars; steward, four hundred and eighty dollars; matron, three hundred and sixty dollars; cook, two hundred and forty dollars; two assistant cooks, one hundred and sixty-eight dollars each; chief laundress, one hundred and ninety-two dollars; six laundresses, at one hundred and sixty-eight dollars each; nine scrubbers and waiters, at one hundred and sixty-eight dollars each; six laborers, at two hundred and forty dollars each; stable-keeper and driver, three hundred and sixty dollars; master-at-arms, four hundred and eighty dollars; corporal, three hundred dollars; barber, three hundred and sixty dollars; carpenter, eight hundred and forty-five dollars; water-rent and gas, two thousand dollars; ice, two hundred dollars; car tickets two hundred and fifty dollars; cemetery and burial expenses, headstones, and digging graves, three hundred and fifty dollars; improvement of grounds, five hundred dollars; repairs to buildings and preservation of all kinds, painting, and for grates, furnaces, ranges, furniture, billiard tables, and repairs of furniture, four thousand five hundred dollars; and for support of beneficiaries, forty-three thousand five hundred dollars; in all, fifty-nine thousand eight hundred and thirteen dollars; which sum shall be paid out of the income from the naval pension fund

Inventory and appraisal of stores and supplies in bureaus of Navy Department, etc.

Appraisal to be made by boards of naval officers.

Sale of unserviceable stores, etc.; proceeds paid into Treasury United States.

Secretary of Navy to report annually to Congress.

Board of officers, etc., to examine vessels not in actual service at sea, etc.

SEC. 2.—That it shall be the duty of the Secretary of the Navy, as soon as may be after the passage of this act, to cause an account to be taken of the stock of stores and supplies pertaining and belonging to the several bureaus of the Navy Department, in which account shall be stated the original cost of each article and the date of purchase, so far as the same is known, and cause an appraisal of the present value of such stores and supplies to be made and entered in such account; and said appraised value, when so entered, shall hereafter be the price at which they shall be charged in accounting with the several bureaus. Such appraisal shall be made by boards of officers of the Navy to be designated by the Secretary; and all such stores and supplies as shall be found by boards of appraisers to be unserviceable for use in the Navy, shall be condemned and sold in the manner hereinafter provided for the sale of old materials, and the proceeds thereof, after deducting the cost of such appraisal, condemnation, and sale, shall be paid into the Treasury. And no old material of the Navy shall hereafter be sold or exchanged by the Secretary of the Navy, or by any officer of the Navy, which can be profitably used by reworking or otherwise in the construction or repair of vessels, their machinery, armor, armament, or equipment; but the same shall be stored and preserved for future use. And when any such old material cannot be profitably used as aforesaid, the same shall be appraised and sold at public auction after public notice and advertisement shall have been given according to law under such rules and regulations and in such manner as the said Secretary may direct. The net proceeds arising from the sales of such old materials shall be paid into the Treasury. It shall be the duty of the Secretary of the Navy annually to report in detail to Congress, in his annual report, the proceeds of all sales of materials, stores, and supplies, made under the provisions of this act, and the expenses attending such sales. It shall also be the duty of the Secretary of the Navy, as soon as may be after the passage of this act, to cause to be examined by competent boards of officers of the Navy, to be designated by him for that duty, all vessels belonging to the Navy not in actual service at sea, and vessels at sea as soon as practicable after they shall return to the United States, and hereafter all vessels on their return from foreign stations, and all vessels in the United States as often as once in three years,

when practicable; and said boards shall ascertain and report to the Secretary of the Navy, in writing, which of said vessels are unfit for further service, or, if the same are unfinished in any navy-yard, those which cannot be finished without great and disproportionate expense, and shall in such report state fully the grounds and reasons for their opinion. And it shall be the duty of the Secretary of the Navy, if he shall concur in opinion with said report, to strike the name of such vessel or vessels from the Navy Register and report the same to Congress

Report.

Condemned vessels, name of, to be stricken from Navy Register.

Shore duty of officers prohibited; exceptions.

SEC. 3. No officer of the Navy whose pay is appropriated for in this bill shall be employed on any shore duty after October first eighteen hundred and eighty two, unless the Secretary of the Navy shall determine that the employment of an officer on such duty is required by the public interests, and shall so state in the order of employment, and also the duration of such service, beyond which time it shall not continue.

Approved, August 5, 1882.

CHAP. 392.—An act authorizing the Secretary of the Interior to dispose of certain lands adjacent to the town of Pendleton, in the State of Oregon, belonging to the Umatilla Indian Reservation, and for other purposes.

August 5, 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 he hereby is, authorized to cause to be surveyed and laid out into lots and blocks so much of the Umatilla Indian Reservation, in the State of Oregon, lying and being contiguous to or in the vicinity of the town of Pendleton, as may be necessary to allow said town proper and needful extension and growth, not exceeding six hundred and forty acres. That the lands so authorized to be laid out into town-lots shall, in the plan and survey thereof, correspond as near as may be to the plans and survey of the said town of Pendleton, as laid out and established. That at the time of the said survey the Secretary of the Interior shall cause the said lots and blocks to be appraised by three disinterested persons, to be appointed by him, who, after taking and subscribing an oath before the county clerk of Umatilla County, Oregon to faithfully and impartially perform their duty as appraisers of said lots and blocks under the provisions of this act, which oath shall be returned with their appraisement, shall go in person upon the ground and determine the value of each lot and parcel thereof; making lists thereof particularly describing each lot, block, and parcel, with the appraised value thereof, as by them determined; which said list shall be verified by the affidavit of at least two of said appraisers, made before the said clerk of Umatilla County, Oregon, to the effect that said list is a correct list of the said lots, blocks, and parcels appraised by them, and that the appraisements thereof, are the true value of each parcel appraised, and that the same were determined by them after due and full inspection of each and every parcel thereof.

Sale of land on Umatilla Indian Reservation near Pendleton, Oreg.

Survey.

Appraisement.

SEC. 2. That upon the return of said survey and the appraisement of said lands, if the same shall be approved, the Secretary of the Interior shall cause said lands to be offered for sale at public auction at the door of the court house in the town of Pendleton, which sale shall be advertised, for at least thirty days, in such manner as the said Secretary shall direct. The said sale shall be open, public, and to the highest bidder, and shall continue from day to day until all of the said lands shall have been sold or offered for sale. The said lands shall be offered in single lots and parcels, and no bid shall be received for any lot or parcel less than the appraised value of the same. Payment shall be made as follows: One third at the time of sale, one third in one year, and one third in two years; but no patent shall issue until full payment shall have been made. All lots, blocks, and parcels of said lands not sold at said public sale shall thereafter be subject to private entry at the appraised value thereof. Upon a failure of any purchaser to make any of the de-

Sale at public auction, after advertisement, to highest bidder.

Payments.

Land not sold at public sale, etc., subject to private entry.