

procure through purchase or contract any vessels, armament, articles, or materials, which the navy yards, gun factories, or other industrial plants operated by the Navy Department are equipped to supply, unless such Government plants are operated approximately at their full capacity for not less than one regular shift each working day, except when contract costs are less than costs in said Government plants, and except when said Government plants are unable to complete the work within the time required, and except in cases of emergency: *Provided*, That no part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

That no part of any sum herein appropriated shall be expended for the purchase of structural steel, ship plates, armor, armament, or machinery from any persons, firms, or corporations who are parties to any existing combination or conspiracy to monopolize the interstate or foreign commerce or trade of the United States, or the commerce or trade between the States and any Territory or the District of Columbia, in any of the articles aforesaid, and no purchase of structural steel, ship plates, or machinery shall be made at a price in excess of a reasonable profit above the actual cost of manufacture. But this limitation shall in no case apply to any existing contract.

The Secretary of the Navy is hereby directed to submit to the Congress during its next regular session a report on the largest battleship which can be undertaken in the United States in the present state of the shipbuilding and engineering sciences and arts, giving due consideration to the present and prospective depths and other limiting dimensions of the docks and harbors of the United States and its possessions and of the locks of the Panama Canal, and he shall further report the principal characteristics of such a vessel, giving the displacement, cost, number and size of guns, thickness of armor, speed and cruising radius, and he shall further report on the desirability of building one or more such vessels.

That no part of any sum herein appropriated under "Increase of the Navy" shall be used for the payment of any clerical, drafting, inspection, or messenger service, or for the pay of any of the other classified force under the various bureaus of the Navy Department, Washington, District of Columbia.

That no part of any sum appropriated by this Act shall be used for any expense of the Navy Department at Washington, District of Columbia, unless specific authority is given by law for such expenditure.

Approved, August 29, 1916.

**CHAP. 418.**—An Act Making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and seventeen, 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, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June thirtieth, nineteen hundred and seventeen.

*Proviso.*  
No pay to officer, etc., using time-measuring device on work of employee.

Cash rewards, etc., limited.

Purchases from trust combinations, etc., forbidden.

Restriction on prices.

Present contracts not affected.  
Battleship.  
Report on construction of the largest practicable.

Further details.

Appropriations not to be used for clerical, etc., services in Department.

Specific authority for use in Department.

August 29, 1916.  
[H. R. 17498.]

[Public, No. 242.]

Army appropriations.

Contingencies.

**CONTINGENCIES OF THE ARMY:** For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department, or any of its subordinate bureaus or offices at Washington, District of Columbia, or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed \$4, in lieu of subsistence, to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, \$50,000.

Emergencies.

Per diem subsistence.

Office, Chief of Staff.

**OFFICE OF THE CHIEF OF STAFF.**

Army War College.

**ARMY WAR COLLEGE:** For expenses of the Army War College, being for the purchase of the necessary stationery; typewriters and exchange of same; office, toilet, and desk furniture; textbooks; books of reference; scientific and professional papers and periodicals; printing and binding; maps; police utensils; employment of temporary, technical, or special services; and for all other absolutely necessary expenses, including \$25 per month additional to regular compensation to chief clerk of division for superintendence of the War College building, \$9,000.

Contingencies, military information section.

**CONTINGENCIES, MILITARY INFORMATION SECTION, GENERAL STAFF CORPS:** For contingent expenses of the military information section, General Staff Corps, including the purchase of law books, professional books of reference; periodicals and newspapers; drafting and messenger service; and of the military attachés at the United States embassies and legations abroad; and of the branch office of the military information section at Manila; the cost of special instruction at home and abroad and in maintenance of students and attachés; and for such other purposes as the Secretary of War may deem proper; to be expended under the direction of the Secretary of War: *Provided*, That section thirty-six hundred and forty-eight, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation, \$11,000.

*Proviso.*  
Periodicals.  
R. S., sec. 3648, p. 718.

Observing war operations abroad.

**EXPENSES OF MILITARY OBSERVERS ABROAD:** For the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign States at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$15,000.

Service schools.

**UNITED STATES SERVICE SCHOOLS:** To provide means for the theoretical and practical instruction at the Army service schools (including the Army Staff College, the Army School of the Line, the Army Field Engineer School, the Army Field Service and Correspondence School for Medical Officers, and the Army Signal School) at Fort Leavenworth, Kansas, the Mounted Service School, at Fort Riley, Kansas, and the School of Fire for Field Artillery and for the School of Musketry, at Fort Sill, Oklahoma, by the purchase of textbooks, books of reference, scientific and professional papers, the purchase of modern instruments and material for theoretical and practical instruction, employment of temporary, technical, or special services, and for all other absolutely necessary expenses, to be allotted in such proportion as may, in the opinion of the Secretary of War, be for the best interests of the military service. Not exceeding \$100 per month may be used for the payment of one translator, to be appointed by the commandant of the Army service schools

Fort Leavenworth, Kans.

Fort Riley, Kans.

Fort Sill, Okla.

Pay of translator.

with the approval of the Secretary of War, \$35,350: *Provided*, That officers in the grade of second lieutenant in the Field Artillery may be assigned, for the period of one year, to batteries stationed at the School of Fire for Field Artillery at Fort Sill, Oklahoma, for the purpose of pursuing courses of practical instruction in field artillery

*Proviso.*  
Field Artillery second lieutenants.  
Instruction details.

THE ADJUTANT GENERAL'S DEPARTMENT.

Adjutant General's Department.

CONTINGENCIES, HEADQUARTERS OF MILITARY DEPARTMENTS, DISTRICTS, AND TACTICAL COMMANDS: For contingent expenses at the headquarters of the several territorial departments, territorial districts, tactical divisions and brigades, including the Staff Corps serving thereat, being for the purchase of the necessary articles of office, toilet, and desk furniture, stationery, ice, and potable water for office use when necessary, binding, maps, technical books of reference, professional and technical newspapers and periodicals, payment for which may be made in advance, and police utensils to be allotted by the Secretary of War, and to be expended in the discretion of the commanding officers of the several military departments, districts, and tactical commands, \$7,500.

Contingencies at headquarters.

CHIEF OF COAST ARTILLERY.

Chief of Coast Artillery.

COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA: For incidental expenses of the school, including chemicals, stationery, printing and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; extra-duty pay to soldiers necessarily employed for periods not less than ten days as artificers on work in addition to and not strictly in line with their military duties, as carpenters, blacksmiths, draftsmen, printers, lithographers, photographers, engine drivers, telegraph operators, teamsters, wheelwrights, masons, machinists, painters, overseers, laborers; for office furniture and fixtures, machinery, and unforeseen expenses, \$10,000;

Coast Artillery School, Fort Monroe, Va.

For purchase of engines, generators, motors, machines, measuring instruments, special apparatus and materials for the division of the enlisted specialists, \$7,000;

Special apparatus, etc.

For purchase of special apparatus and materials and for experimental purposes for the department of artillery and land defense, \$3,000;

For purchase of engines, generators, motors, machines, measuring instruments, special apparatus and materials for the department of engineering and mine defense, \$5,500;

Engineering and mine defense.

For purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defenses, \$2,500.

*Provided*, That section thirty-six hundred and forty-eight, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation.

*Provisos.*  
Periodicals.  
R. S., sec. 364, p. 718.

*Provided further*, That purchase of typewriting machines, to be paid for from this appropriation, may be made at the special price allowed to schools teaching stenography and typewriting without obligating typewriter companies to supply these machines to all departments of the Government at the same price.

Typewriters.  
Special price allowed.

OFFICE OF THE CHIEF SIGNAL OFFICER.

Signal Service.

SIGNAL SERVICE OF THE ARMY: For expenses of the Signal Service of the Army, as follows: Purchase, equipment, and repair of field electric telegraphs, radio installations, signal equipments and stores, binocular glasses, telescopes, heliostats, and other necessary instru-

Expenses.

ments, including necessary meteorological instruments for use on target ranges; motorcycles and motor-driven vehicles used for technical and official purposes; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps, for use in the office of the Chief Signal Officer; war balloons and airships and accessories, including their maintenance and repair; telephone apparatus (exclusive of exchange service) and maintenance of the same; electrical installations and maintenance at military posts; fire-control and direction apparatus and material for Field Artillery; maintenance and repair of military lines and cables, including salaries of civilian employees, supplies, general repairs, reserved supplies, and other expenses connected with the duty of collecting and transmitting information for the Army by telegraph or otherwise, \$14,281,766: *Provided, however,* That not more than \$13,281,666 of the foregoing appropriation shall be used for the purchase, manufacture, maintenance, operation, and repair of airships and other aerial machines and accessories necessary in the aviation section; and for the purchase, maintenance, repair, and operation of motor-propelled, passenger-carrying vehicles which may be necessary for the aviation section: *Provided further,* That of the sum last above mentioned \$900,000, or so much thereof as may be necessary, will be available for paying and otherwise providing for such officers of the Officers' Reserve Corps of the Aviation Section of the Signal Corps and such enlisted men of the Enlisted Reserve Corps of the Aviation Section of the Signal Corps as may be called into active service: *Provided further,* That not to exceed \$50,000 of the above sum will be available for the payment of all expenses in connection with the development of a suitable type of aviation motor, under such regulations as the Secretary of War may prescribe.

War balloons, airships, etc.

Provises. Aviation section. Purchases, etc., under.

Paying reserves in service.

Developing aviation motor.

Aviation instruction.

Accounting with other offices.

Contract requirements.

Site for aviation school, etc.

Aviation field sites, etc.

Acceptance of donations for.

Acquirement of land for aviation purposes, if no reservation available.

*Provided further,* That not more than \$500 of the foregoing shall be used for the cost of special technical instruction of officers of said section.

*Provided further,* That hereafter in the settlement of transactions between appropriations under the Signal Corps, or between the Signal Corps and another office or bureau of the War Department, or of any other executive department of the Government, payment therefor shall be made by the proper disbursing officer of the Signal Corps, or of the office, bureau, or department concerned.

*Provided further,* That hereafter whenever contracts which are not to be performed within sixty days are made on behalf of the Government by the Chief Signal Officer, or by officers of the Signal Corps authorized to make them, and are in excess of \$500 in amount, such contracts shall be reduced to writing and signed by the contracting parties. In all other cases contracts shall be entered into under such regulations as may be prescribed by the Chief Signal Officer.

**PURCHASE OF LAND IN THE STATE OF CALIFORNIA FOR AVIATION SCHOOL PURPOSES:** For the acquisition, by purchase or by condemnation, of a site or sites in the State of California for an aviation school and training grounds of the Signal Corps of the United States Army, not to exceed \$300,000.

The Secretary of War is hereby authorized to accept for the United States from any citizen of the United States a donation of a tract or tracts of land suitable and desirable in his judgment for the purposes of an aviation field and remount station, the terms of the donation also to authorize the use of the property donated for any other service of the United States which may hereafter appear desirable.

The Secretary of War is directed to investigate the suitability of the various military reservations for aviation purposes, and should any of the reservations be found not suitable and not available for aviation he is authorized, in his discretion, to acquire, by purchase, condemnation, or otherwise, for the United States of America, such

land as may be necessary for aviation purposes, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$300,000, or so much thereof as may be necessary, for said purpose.

The Secretary of War is hereby authorized to accept for the United States from any person such tract or tracts of land suitable and desirable in his judgment for permanent mobilization, training, and supply stations; and he is directed to investigate and report to Congress as soon as practicable what additional tracts are necessary for said purposes for use by the National Guard and by the Regular Army and the probable cost of the same.

**WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM:** For defraying the cost of such extensions, betterments, and maintenance of the Washington-Alaska Military Cable and Telegraph System as may be approved by the Secretary of War, to be available until the close of the fiscal year nineteen hundred and eighteen, from the receipts of the Washington-Alaska Military Cable and Telegraph System which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, \$50,000.

**COMMERCIAL TELEPHONE SERVICE AT COAST ARTILLERY POSTS:** For providing commercial telephone service for official purposes at Coast Artillery posts, \$8,500.

#### PAY OF OFFICERS OF THE LINE.

For pay of officers of the line, \$10,000,000: *Provided*, That in applying section twenty-five of the national defense Act approved June third, nineteen hundred and sixteen, the President shall assign to officers of the Army such constructive dates of original commission, from which lengths of commissioned service shall be computed, as will preserve their rights to promotion in accordance with their relative order on the lineal lists of their arms and continue in effect losses of files occasioned by sentences of courts-martial or failures to pass required examinations for promotion, said constructive dates of original commission to be subject to change whenever a change thereof may be necessary in order to carry into effect losses of files hereafter incurred by any officer through a sentence of court-martial or a failure to pass a required examination for promotion: *Provided further*, That in determining the arm from which a detail is to be made to a vacancy in the detached officers' list, as provided in the third proviso of section twenty-five of the national defense Act approved June third, nineteen hundred and sixteen, the officer of any grade who is the senior in that grade according to the constructive dates of original commission provided for in the preceding proviso shall be considered the senior in length of commissioned service of all officers of that grade: *Provided further*, That in determining the rights of officers in the last proviso of section twenty-four of said national defense Act, officers retired before the separation of the Field Artillery from the Coast Artillery shall be regarded as having belonged to the Field Artillery: *Provided further*, That when by reason of increase in the arm, corps, or branch of the service in which an officer is commissioned his loss of files in lineal rank due to suspension from promotion on account of failure to pass the required examination therefor exceeds the loss he would have sustained if no such increase had occurred, he shall, if promoted upon reexamination, be advanced to the position he would have occupied in the grade to which promoted had no increase occurred: *And provided further*, That the general officers of the line who were appointed as such pursuant to the Act of March fourth, nineteen hundred and fifteen (Thirty-eighth Statutes at Large, page eleven hundred

Mobilization, etc., stations.  
Acceptance of land for.

Report on tracts necessary, etc.

Washington-Alaska cables, etc.  
Extension, etc.

Telephone service for Coast Artillery.

Pay.

Officers of the line.  
*Provisos.*  
Assignments to Detached Officers' List.  
*Ante*, p. 183.

Determination of commissions.

Filling vacancies.  
Seniority in grade or arm.

Status of retired Artillery officers.  
*Ante*, p. 183.

Allowance for loss of files by increase in arm, etc.

Status of generals of the line advanced for Panama Canal service.  
Vol. 38, p. 1191.

and ninety-one), shall take rank in their present grades over all officers hereafter appointed to like grades.

Longevity.

Additional pay to officers for length of service, \$2,225,000.

Officers' Reserve Corps.

For pay of members of the Officers' Reserve Corps when ordered to temporary duty, \$10,000.

*Ante*, p. 189.

For pay of members of the Officers' Reserve Corps when ordered to duty with troops or at field exercises, or for instruction, \$25,000.

*Ante*, p. 194.

For pay of members of the Officers' Reserve Corps appointed temporary second lieutenants at \$100 per month, \$5,000.

National Guard officers.

Pay of officers, National Guard, \$9,000,000.

Enlisted men.

#### PAY OF ENLISTED MEN.

Pay.

For pay of enlisted men of all grades, including recruits, \$23,000,000:

*Proviso.*  
Sergeant major at recruit depots.  
Vol. 34, p. 242.

*Provided*, That hereafter one of the enlisted men detached from the Army at large for duty at each of the recruit depots under the provisions of the Act of June twelfth, nineteen hundred and six, shall, while so detached, have the rank, pay, and allowances of a regimental sergeant major.

Longevity.

Additional pay for length of service of enlisted men of the line, \$2,300,000.

Regular Army Reserve.

For pay of enlisted men of the Regular Army Reserves, at \$24 per year, \$10,000.

*Ante*, p. 188.

For pay of enlisted men of the Regular Army Reserves while engaged in field training for a period not exceeding fifteen days each year, \$7,500.

*Ante*, p. 187.

For bounty at the rate of \$3 per month to enlisted men of the Regular Army Reserves mobilized by order of the President, \$1,000.

*Ante*, p. 188.

For bounty for reenlistments in time of war, \$10,000.

Enlisted Reserve Corps.

For pay of members of the Enlisted Reserve Corps when called into actual service, \$25,000.

*Ante*, p. 196.

For pay of members of the Enlisted Reserve Corps when called out for instruction or training for periods not exceeding fifteen days in any one calendar year, \$5,000.

*Ante*, p. 195.

National Guard.

Pay of enlisted men of all grades, National Guard, \$18,000,000:

*Provisos.*  
Government employees to be restored to former positions.  
*Ante*, p. 211.

*Provided*, That all officers and enlisted men of the National Guard and of the Medical Reserve Corps of the Army who are Government employees and who respond to the call of the President for service shall, at the expiration of the military service to which they are called, be restored to the positions occupied by them at the time of the call: *Provided further*, That nothing in this Act or previous Acts of Congress shall be construed to prohibit the paying of men enlisted by State authorities of any State for militia organization for the purpose of bringing said organization up to the minimum necessary to permit of the muster in of said organization, from the date of such enlistments to the date of muster in or from date of enlistment to date of rejection, after physical examination.

*Ante*, p. 211.

Payment to men enlisted by States, up to time of muster.

Engineer Corps.

#### CORPS OF ENGINEERS.

Pay of enlisted men, \$700,000.

Additional pay for length of service, \$73,000.

Ordnance Corps.

#### ORDNANCE DEPARTMENT.

Pay of enlisted men, \$300,000.

Additional pay for length of service, \$150,000.

Quartermaster Corps.

#### QUARTERMASTER CORPS.

Pay of enlisted men, \$2,000,000.

Additional pay for length of service, \$325,000.

## SIGNAL CORPS.

Signal Corps.

Pay of enlisted men, \$800,000.  
 Additional pay for length of service, \$90,000.

## MEDICAL DEPARTMENT.

Medical Department.

Pay of enlisted men, \$1,500,000.  
 Additional pay for length of service, \$220,000.  
 For pay of privates, first class, when rated as dispensary assistants, nurses, or surgical assistants, \$5,000: *Provided*, That hereafter the proportion of privates first class to privates in the Signal Corps and in the Medical Department shall be the same as the proportion of privates first class to privates now authorized by law in the Quartermaster Corps.

Dispensary assistants, etc.  
*Provido.*  
 Proportion of privates, first class.

## CLERKS, MESSENGERS, AND LABORERS, OFFICE OF THE CHIEF OF STAFF.

Office of Chief of Staff.

One chief clerk, at \$2,250 per annum, \$2,250;  
 Four clerks, at \$2,000 each per annum, \$8,000;  
 Six clerks, at \$1,800 each per annum, \$10,800;  
 Eleven clerks, at \$1,600 each per annum, \$17,600;  
 Fifteen clerks, at \$1,400 each per annum, \$21,000;  
 Twenty-one clerks, at \$1,200 each per annum, \$25,200;  
 Thirteen clerks, at \$1,000 each per annum, \$13,000;  
 One captain of the watch, at \$900 per annum, \$900;  
 Three watchmen, at \$720 each per annum, \$2,160;  
 One gardener, at \$720 per annum, \$720;  
 One packer, at \$840 per annum, \$840;  
 One chief messenger, at \$1,000 per annum, \$1,000;  
 One messenger, at \$840 per annum, \$840;  
 Twenty messengers, at \$720 each per annum, \$14,400;  
 One laborer, at \$660 per annum, \$660;  
 Two laborers, at \$600 each per annum, \$1,200;  
 Five charwomen, at \$240 each per annum, \$1,200;  
 In all, \$121,770.

Clerks, messengers, etc.

## CLERKS AND MESSENGERS FOR HEADQUARTERS OF THE SEVERAL TERRITORIAL DEPARTMENTS, DISTRICTS, DIVISIONS AND BRIGADES, AND SERVICE SCHOOLS.

Headquarters of departments, etc.

Seven clerks, at \$2,000 each per annum, \$14,000;  
 Eleven clerks, at \$1,800 each per annum, \$19,800;  
 Fourteen clerks, at \$1,600 each per annum, \$22,400;  
 Thirty-two clerks, at \$1,400 each per annum, \$44,800;  
 Fifty-seven clerks, at \$1,200 each per annum, \$68,400;  
 Forty-nine clerks, at \$1,000 each per annum, \$49,000;  
 Thirty-nine messengers, at \$720 each per annum, \$28,080;  
 In all, \$246,480.

Clerks and messengers.

Additional pay while on foreign service, \$9,000.  
 For commutation of quarters and of heat and light, \$53,742.

Foreign service pay.

Hereafter headquarters clerks shall be known as Army field clerks and shall receive pay at the rates herein provided, and after twelve years of service, at least three years of which shall have been on detached duty away from permanent station, or on duty beyond the continental limits of the United States, or both, shall receive the same allowances, except retirement, as heretofore allowed by law to pay clerks, Quartermaster Corps, and shall be subject to the rules and articles of war.

Commutation of quarters, etc.  
 Army field clerks.  
 Headquarters clerks to be known as; pay, etc.

Hereafter not to exceed two hundred clerks, Quartermaster Corps, who shall have had twelve years of service, at least three years of

Quartermaster Corps field clerks.

Pay, etc., established.

which shall have been on detached duty away from permanent station, or on duty beyond the continental limits of the United States, or both, shall be known as field clerks, Quartermaster Corps, and shall receive the same allowances, except retirement, as heretofore allowed by law to pay clerks, Quartermaster Corps, and shall be subject to the rules and articles of war.

Commutation.

For commutation of quarters and of heat and light, \$67,600.

Proviso.

Service assignment.

*Provided*, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided*, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau in the War Department.

Duty in Department forbidden.

Staff officers.  
Adjutant General's Department.

#### ADJUTANT GENERAL'S DEPARTMENT.

For pay of officers of The Adjutant General's Department, \$100,000.  
Additional pay for length of service, \$26,000.

Inspector General's Department.

#### INSPECTOR GENERAL'S DEPARTMENT.

For pay of officers of the Inspector General's Department, \$69,500.  
Additional pay for length of service, \$17,500.

Corps of Engineers.

#### CORPS OF ENGINEERS.

Pay of officers of the Corps of Engineers, \$675,000.  
Additional pay for length of service, \$150,000.

Ordnance Department.

#### ORDNANCE DEPARTMENT.

For pay of officers of the Ordnance Department, \$280,000.  
Additional pay for length of service, \$60,000.

Quartermaster Corps.

#### QUARTERMASTER CORPS.

Proviso.  
Charles P. Daly.  
Appointed military storekeeper.

For pay of officers of the Quartermaster Corps, \$700,000: *Provided*, That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint Charles P. Daly, chief clerk, office of the Quartermaster Corps, United States Army, a military storekeeper in the Quartermaster Corps, United States Army, with the rank, pay, and allowances of a captain, mounted; and the grade of military storekeeper is hereby revived in the Army of the United States for this purpose only: *Provided further*, That hereafter the provisions of section eleven hundred and ninety-one of the Revised Statutes of the United States may, in the discretion of the Secretary of War, be waived in the cases of officers of the Quartermaster Corps who are not accountable for public funds or public property.

Additional pay for length of service, \$160,000.

Grade revived.  
R. S., sec. 1132, p. 206.

Bond of officers may be waived.  
R. S., sec. 1191, p. 212.

Medical Department.

#### MEDICAL DEPARTMENT.

For pay of officers of the Medical Department, \$1,800,000.  
Additional pay for length of service, \$250,800.

Contract surgeons.

Contract surgeons, at not exceeding \$150 each per month, \$20,000.  
One superintendent, Nurse Corps, at \$1,800 per annum, \$1,800.

Superintendent, Nurse Corps.

Proviso.  
Allowances, etc.

*Provided*, That hereafter the superintendent shall receive such allowances of quarters, subsistence, and medical care during illness as may be prescribed in regulations by the Secretary of War.

Nurses.

Nurses (female), \$141,000.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Judge Advocate General's Department.

For pay of officers in the Judge Advocate General's Department, \$60,000.

Additional pay for length of service, \$12,320.

That the Secretary of War is hereby directed to cause to be prepared, with as much expedition as may be consistent with thoroughness, to be finished within two years, a revision and codification of the military laws of the United States, which shall conform in scope and character to the revision and codification of the laws of the United States of a permanent and general nature directed by the Act of March third, nineteen hundred and one. The Secretary of War shall submit to Congress a report of progress of the revision and codification herein directed upon the first day of the second session of the Sixty-fourth Congress, and, when the revision and codification is completed, he shall cause a copy of the same, in print, to be submitted to Congress, that the statutes so revised and codified may be reenacted if Congress shall so determine.

Military laws. Codification, etc., directed.

Vol. 31, p. 118L.

Report to Congress, etc.

For paying the expenses of clerical hire and printing and other expenses incident to the making of the revision and codification herein directed, not to exceed \$5,000, to be expended upon certificates of the Secretary of War that the expenditures were necessary therefor.

Expenses.

SIGNAL CORPS.

Signal Corps.

For pay of officers of the Signal Corps, \$375,000.

Additional pay for length of service, \$50,000.

For pay of thirty aviators, Signal Corps, at \$1,800 each per annum, \$54,000.

Aviators.

BUREAU OF INSULAR AFFAIRS.

Bureau of Insular Affairs.

For pay of officers of the Bureau of Insular Affairs, \$13,000.

Additional pay for length of service, \$2,000.

RETIRED OFFICERS.

Retired officers.

For pay of officers on the retired list and for officers who may be placed thereon during the current year, \$2,700,000: *Provided*, That when by reason of the movement of troops a post is temporarily left without its regular garrison and with no commissioned officer except of the Medical Reserve Corps on duty thereat, the Secretary of War may assign a retired officer of the Army, with his consent, to active duty in charge of such post. The officer so assigned shall perform the duties of commanding officer and also any necessary staff duties at such post, and shall, while in the performance of such duties, receive the full pay and allowances of his grade, subject to the limitations imposed by the Act of March second, nineteen hundred and five, and the Act of June twelfth, nineteen hundred and six, which limitations shall include the grades of brigadier general, major general, and lieutenant general.

Pay.  
*Proviso.*  
Temporary command of post without garrison.

Duties.

Pay, etc.

Vol. 33, p. 831; Vol. 34, p. 245.

Grades included.

Additional pay for length of service, \$467,000.

Four retired veterinarians, \$7,140.

Thirteen retired pay clerks, \$21,750.

Increased pay to retired officers on active duty, \$57,275.

Additional pay for length of service, \$19,137.

That the President be, and he is hereby, authorized to appoint Colonel James Jackson, United States Army (retired), to the position and rank of brigadier general on the retired list.

Veterinarians.

Pay clerks.

Active duty pay.

Col. James Jackson. Promoted brigadier general, retired.

That the President be, and he is hereby, authorized to appoint any colonel of the Army on the retired list who before retirement served more than forty-five years and six months, including sixteen

Appointment of retired colonel as brigadier general, retired. Service conditions.

years in the line of the Army, who held command in the line or staff over nine and a half years, who received campaign badges for service in four Indian campaigns and in the War with Spain and the Philippine insurrection, and who was recommended by the commanding general in time of war or insurrection for appointment to the grade of general officer in the Volunteer Army, to the grade of brigadier general on the retired list: *Provided*, That such officer did not receive advanced grade upon retirement nor has since received any advance over the grade held at the date of retirement.

*proviso.*  
No prior advance.

Appointment of retired brigadier general as major general, retired.  
Service conditions.

That the President be, and he is hereby, authorized to appoint to the grade of major general on the retired list of the Army any brigadier general now borne on said list who served with credit in the Army throughout both the Civil War and the War with Spain, as well as during the interval between said wars, and who, being a general officer, exercised with efficiency and gallantry the command of a brigade or of a higher unit in action or in actual operations against an enemy, and who in consideration of services so rendered was recommended to be a major general, United States Volunteers, by the commanding general of the Army, as shown by the records of the War Department: *Provided*, That any brigadier general on the retired list who as senior colonel commanded with credit a brigade or higher unit in the Civil War, though not so recommended may be advanced in grade as authorized by this paragraph if he fulfills the other requirements thereof.

*proviso.*  
Other similar promotions.

Major general retired.  
Appointment of any retired officer as, having specified Civil War record, etc.

That the President be, and he is hereby, authorized to appoint and place on the retired list of the Army with the rank of major general, any officer on the retired list who served not less than one year in the Regular or Volunteer forces of the United States during the Civil War prior to April ninth, eighteen hundred and sixty-five, and who was honorably discharged therefrom, who has since served not less than forty years as a commissioned officer of the Regular Army, and who was the last Civil War veteran on the active list of the Army for over two years before retirement and had ranked every general officer on the active list in length of service when he retired.

Retired enlisted men.

#### RETIRED ENLISTED MEN.

For pay of four thousand three hundred retired enlisted men, \$3,100,000.

Miscellaneous.

#### MISCELLANEOUS.

Hospital matrons.  
Courts martial, etc.

Thirty hospital matrons, at \$120 each per annum, \$3,600.

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, \$60,000.

Officer, buildings and grounds, District of Columbia.

For additional pay to officer in charge of public buildings and grounds at Washington, District of Columbia, \$500.

Commutation of quarters, etc.

For commutation of quarters and of heat and light to commissioned officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available, \$1,000,000.

Interest on deposits.  
Translator.

For interest on soldiers' deposits, \$150,000.

For pay of translator and librarian of the military information section, General Staff Corps, at \$1,800 per annum, \$1,800.

Expert accountant.

For pay of expert accountant for the Inspector General's Department, \$2,500.

Extra pay, seacoast fortifications.

For extra pay to enlisted men employed on extra duty for periods of not less than ten days in the offices of coast defense artillery engineers and coast defense ordnance officers, and as switchboard operators at seacoast fortifications, \$14,803.

For extra pay to enlisted men employed on extra duty as switchboard operators at each interior post of the Army, \$12,519.

Switchboard operators, interior posts.

For extra pay to enlisted men of the line of the Army and to enlisted men of the Quartermaster Corps and of the Signal Corps employed in the Territory of Alaska on the Washington-Alaska cable and telegraph system for periods of not less than ten days at the rate of 35 cents per day, \$30,660.

Alaska cable, etc.

For mileage to commissioned officers, contract surgeons, and expert accountant, Inspector General's Department, when authorized by law, \$712,500.

Mileage to officers, etc.

For additional ten per centum increase of pay of officers on foreign service, \$250,000.

Additional pay, foreign service. Officers.

For additional twenty per centum increase of pay of enlisted men on foreign service, \$800,000.

Enlisted men.

For pay of one computer for Artillery Board, \$2,500.

Computer.

For payment of exchange by acting quartermasters serving in foreign countries and when specially authorized by the Secretary of War by officers disbursing funds pertaining to the Quartermaster Corps when serving in Alaska, \$600.

Loss by exchange.

For three months' additional pay to enlisted men reenlisting within the period of three months from date of discharge from first enlistment, \$150,500.

Additional pay. First reenlistment.

For six months' pay to beneficiaries of officers and enlisted men who die while on active service from wounds or disease not the result of their own misconduct, \$75,000.

Death from wounds, etc.

For one year's pay to beneficiaries of officers and enlisted men who die as the result of aviation accidents, \$10,000.

Aviation accidents.

For additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, \$225,000.

Officers furnishing mounts.

For amount required to make monthly payments to Jennie Carroll, widow of James Carroll, late major, United States Army, \$1,500.

Jennie Carroll. Vol. 35, p. 1325.

For amount required to make monthly payments to Mable H. Lazear, widow of Jesse W. Lazear, late acting assistant surgeon, United States Army, \$1,500.

Mable H. Lazear. Vol. 35, p. 1325.

For amount required to make monthly payments of \$100 to John R. Kissinger, late of Company D, One hundred and fifty-seventh Indiana Volunteer Infantry, also late of the Hospital Corps, United States Army, \$1,200.

John R. Kissinger. Vol. 36, p. 1919.

That the Secretary of War shall make a list of all officers of the Army who have been placed on the retired list for disability and shall cause such officers to be examined at intervals as may be advisable, and such officers as shall be found to have recovered from such disabilities or to be able to perform service of value to the Government sufficient to warrant such action shall be assigned to such duty as the Secretary of War may approve.

Retired officers. Examinations for return to duty if on the list for disability.

For temporary employment, under the direction of the Secretary of War, of additional clerks in the field on account of the induction of additional forces into the service of the United States, \$50,000.

Temporary field clerks, mustering additional forces.

PHILIPPINE SCOUTS.

Philippine Scouts.

Fifty-two captains, at \$2,400 each per annum, \$124,800;

Officers.

Sixty-five first lieutenants, at \$2,000 each per annum, \$130,000;

Sixty-five second lieutenants, at \$1,700 each per annum, \$110,500;

For pay of thirteen majors in addition to pay as captain, at \$600 each per annum, \$7,800;

Enlisted men.

Additional pay for length of service, \$93,783.

For pay of enlisted men, \$601,028.

Additional pay for length of service, \$40,766.

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage of officers,

Pay account specified.

contract surgeons, and expert accountant, Inspector General's Department, when authorized by law, shall be disbursed and accounted for by officers of the Quartermaster Corps as pay of the Army, and for that purpose shall constitute one fund.

Subsistence.  
Supplies, purchase,  
etc.

**SUBSISTENCE OF THE ARMY:** Purchase of subsistence supplies: For issue as rations to troops, civil employees when entitled thereto, hospital matrons, nurses, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), Indians employed with the Army as guides and scouts, and general prisoners at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army transport service; hot coffee for troops traveling when supplied with cooked or travel rations; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers and enlisted men of the Army: *Provided*, That the sum of \$12,000 is authorized to be expended for supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the National Guard who may be competitors in the national rifle match:

Prizes.  
National rifle match.

Excess restricted.

Payments.  
Commutation of ra-  
tions, etc.

*Provided further*, That no competitor shall be entitled to commutation of rations in excess of \$1.50 per day, and when meals are furnished no greater expense than that sum per man per day for the period the contest is in progress shall be incurred. For payments: Of commutation of rations to the cadets of the United States Military Academy in lieu of the regular established ration, at the rate of 40 cents per ration; of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men and male and female nurses when stationed at places where rations in kind can not be economically issued, and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in departments and Army rifle competitions while traveling to and from places of contest, male and female nurses on leaves of absence, applicants for enlistment, and general prisoners while traveling under orders; of commutation of rations in lieu of the regular established ration for members of the Nurse Corps (female) while on duty in hospital, at 40 cents per ration, and for enlisted men, applicants for enlistment while held under observation, and general prisoners sick therein, at the rate of 30 cents per ration (except that at the general hospital at Fort Bayard, New Mexico, 50 cents per ration and at other general hospitals 40 cents per ration are authorized for enlisted patients therein), to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army, \$20,000,000: *Provided further*, That hereafter the officers and enlisted men of the Navy and the Marine Corps shall be permitted to purchase subsistence supplies at the same price as is charged the officers and the enlisted men of the Army; and the officers and the enlisted men of the Army shall be permitted to purchase subsistence supplies from the Navy and Marine Corps at the same price as is charged the officers and the enlisted men of the Navy and Marine Corps.

Prizes for bakers and  
cooks.

Preservation, a c-  
counting, etc.

Sales to Navy and  
Marine Corps.

Purchases from Navy  
and Marine Corps.

Regular supplies,  
Quartermaster Corps.

**REGULAR SUPPLIES, QUARTERMASTER CORPS:** Regular supplies of the Quartermaster Corps, including their care and protection, consisting of stoves and heating apparatus required for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts, in the field, and

when traveling, and repair and maintenance of such heating and cooking appliances; and the necessary power for the operation of moving-picture machines; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers and enlisted men; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the Act approved May thirty-first, nineteen hundred and two; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakeries, including bake ovens and apparatus pertaining thereto, and the repair thereof; for ice machines and their maintenance where required for the health and comfort of the troops and for cold storage; ice for issue to organizations of enlisted men and officers at such places as the Secretary of War may determine, and for preservation of stores; for the construction, operation, and maintenance of laundries at military posts in the United States and its island possessions; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; authorized issues of soap; for hire of employees; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; commercial newspapers, market reports, and so forth; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; of forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, and for the horses of the several regiments of Cavalry, and batteries of Artillery, and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation: *Provided*, That the accounting officers of the Treasury are hereby authorized and directed to remove any suspensions or disallowances in the accounts of Captain Sam Van Leer, Quartermaster Corps, United States Army, for expenditures made in connection with the establishment of an irrigation system at the Fort Keogh Remount Depot, Montana; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Quartermaster Corps, certificates for discharged soldiers, and for printing department orders and reports, \$11,000,000: *Provided*, That no part of the appropriations for the Quartermaster Corps shall be expended on printing unless the same shall be done at the Government Printing Office, or by contract after due notice and competition, except in such cases as the emergency will not admit of the giving notice of competition, and in cases where it is impracticable to have the necessary printing done by contract the same may be done with the approval of the Secretary of War, by the purchase of material and hire of the necessary labor for the purpose. For the fiscal year ending June thirtieth, nineteen hundred and seventeen, whenever the ice machines, steam laundries, and electric plants shall not come in competition with private enterprise for sale to the public, and in the opinion of the Secretary of War it becomes necessary to the economical use and administration of such ice machines, steam laundries,

Heat, light, etc.

Recreation buildings.  
Vol. 32, p. 282.

Post schools, etc.

Forage, etc., for animals.

*Provided*.  
Captain Sam Van  
Leer.  
Suspension in ac-  
counts removed.

Printing restriction.

Ice machines, etc.  
Disposal of surplus  
products.

Use of proceeds.

and electric plants as have been or may hereafter be established in pursuance of law, surplus ice may be disposed of, laundry work may be done for other branches of the Government, and surplus electric light and power may be sold on such terms and in accordance with such regulations as may be prescribed by the Secretary of War: *Provided*, That the funds received from such sales and in payment for such laundry work shall be used to defray the cost of operation of said ice, laundry, and electric plants, and the sales and expenditures herein provided for shall be accounted for in accordance with the methods prescribed by law, and any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plant is paid: *Provided*, That \$250,000 of the appropriation provided for in this paragraph shall be expended in the purchase of material and the construction of tent floors, framing for screens, and screens, to be added to the equipment of the tents now being used by the Army of the United States.

Equipping additional tents for use.

Incidental expenses.

INCIDENTAL EXPENSES, QUARTERMASTER CORPS: Postage; cost of telegrams on official business received and sent by officers of the Army; extra pay to soldiers employed on extra duty, under the direction of the Quartermaster Corps, in the erection of barracks, quarters, and storehouses, in the construction of roads, and other constant labor for periods of not less than ten days; as additional school-teachers during the school term at post schools, and as clerks for post quartermasters at military posts, and for overseers of general prisoners at posts designated by the War Department for the confinement of general prisoners, and for the United States disciplinary barracks guard: *Provided*, That hereafter the extra-duty pay to the United States disciplinary barracks guard shall be at the following rates per day: Sergeants, 35 cents; corporals, 30 cents; and privates, 20 cents; of extra-duty pay at rates to be fixed by the Secretary of War for mess stewards and cooks at recruit depots, who are graduates of the schools for bakers and cooks, and instructor cooks at the schools for bakers and cooks; for expenses of expresses to and from frontier posts and armies in the field; of escorts to officers or agents of the Quartermaster Corps to train where military escorts can not be furnished; authorized office furniture, authorized issue of towels; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government, and the hire of interpreters, spies, or guides for the Army; compensation of clerks and other employees to the officers of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States disciplinary barracks, and incidental expenses of recruiting; for the apprehension, securing, and delivering of deserters, including escaped military prisoners, and the expenses incident to their pursuit, and no greater sum than \$50 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$5 to each dishonorably discharged prisoner upon his release from confinement under court-martial sentence involving dishonorable discharge; for the following expenditures required for the several regiments of Cavalry, the batteries of Field Artillery, and such companies of Infantry and Scouts as may be mounted, the authorized number of officers' horses, and for the trains, to wit, hire of veterinary surgeons, purchase of medicines for horses and mules, picket ropes, blacksmith's tools and materials, horseshoes and blacksmith's tools for the Cavalry service, and for the shoeing of horses and mules; chests and issue outfits; and such additional expenditures as are necessary and authorized by law in the movements and operations of the Army, and at military posts, and not expressly assigned to any other department, \$2,000,000.

Proviso.  
Pay of disciplinary barracks guard.

Horse expenditures.

TRANSPORTATION OF THE ARMY AND ITS SUPPLIES: For transportation of the Army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including the cost of packing and crating; for transportation of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; for travel allowance to enlisted men on discharge, and members of the National Guard who have been mustered into the service of the United States and are discharged for physical disabilities: *Provided*, That hereafter when an enlisted man having ten or more years' service in the Army is discharged on account of disability incurred in the line of duty, transportation of his authorized change of station allowance of baggage from his last duty station to his home in addition to other travel allowances fixed by law may be authorized by the Secretary of War: *Provided further*, That when members of the National Guard, who have been mustered into the service of the United States, have been discharged under the order of the War Department which provides that members of the National Guard with dependent families may be mustered out, transportation from their position on the Mexican border to their homes may be authorized by the Secretary of War; of persons on their discharge from the United States disciplinary barracks or from any place in which they have been held under a sentence of dishonorable discharge and confinement for more than six months, or from the Government Hospital for the Insane after transfer thereto from such barracks or place, to their homes (or elsewhere as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment; of supplies furnished to the militia for the permanent equipment thereof; of the necessary agents and other employees, including per diem allowances in lieu of subsistence not exceeding \$4 for those authorized to receive the per diem allowance; of clothing and equipage and other quartermaster stores from Army depots or places of purchase or delivery to the several posts and Army depots and from those depots to the troops in the field; of horse equipment; of ordnance and ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and Army depots; for payment of wharfage, tolls, and ferriages; for transportation of funds of the Army; for the hire of employees; for the payment of Army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant acts), but in no case shall more than fifty per centum of full amount of service be paid: *Provided*, That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large and shall be accepted as in full for all demands for such service: *Provided further*, That in expending the money appropriated by this Act a railroad company which has not received aid in bonds of the United States, and which obtained a grant of public land to aid in the construction of its railroad on condition that such railroad should be a post route and military road, subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulation as Congress may impose restricting the charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provision only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed fifty per centum of the compensation for

Transportation.

*Post*, p. 811.

*Proviso.*  
Baggage of enlisted men discharged for disability.

Mustered out enlisted men from Mexican border.

Per diem subsistence.

Payment to land-grant railroads.

Basis of computation.

Fifty per cent to roads not bond aided.

Full pay to excepted roads.

Draft and pack animals, etc.

Ships, boats, etc.

Transports.

Employees on harbor boats.

Sale of transports "Meade" and "Crook."

Water, sewers, etc.

Preparing camp sites, etc., for forces drafted into service.

Available from June 18, 1916.

Clothing and camp and garrison equipage.

Indemnity for destroyed clothing, etc.

such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service: *And provided further*, That nothing in the preceding provisos shall be construed to prevent the accounting officers of the Government from making full payment to land-grant railroads for transportation of property or persons where the courts of the United States have held that such property or persons do not come within the scope of the deductions provided for in the land-grant Acts; for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and motor-propelled and horse-drawn passenger-carrying vehicles, as are required for the transportation of troops and supplies, and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the hire of teamsters and other employees; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans, \$23,000,000.

*Provided further*, That \$75,000 of the appropriation hereby made shall be available for additional pay of employees on harbor boats, quartermaster service, in lieu of subsistence: *Provided further*, That authority is hereby granted the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the United States Army transports Meade and Crook.

**WATER AND SEWERS AT MILITARY POSTS:** For procuring and introducing water to buildings and premises at such military posts and stations as from their situation require it to be brought from a distance; for the installation and extension of plumbing within buildings where the same is not specifically provided for in other appropriations; for the purchase and repair of fire apparatus, including fire-alarm systems; for the disposal of sewage, and expenses incident thereto, including the authorized issue of toilet paper; for repairs to water and sewer systems and plumbing within buildings; for hire of employees; and the preparation of camp sites, including the procurement of water, installation of water and sewer systems, construction of roads and the construction of temporary kitchens, mess shelters, latrines, bath houses and storehouses for the storage and safe keeping of supplies at mobilization camps in the several States for the forces called or drafted into the service of the United States, and to be available from June eighteenth, nineteen hundred and sixteen, \$4,000,000.

**CLOTHING AND CAMP AND GARRISON EQUIPAGE:** For cloth, woolsens, materials, and for the purchase and manufacture of clothing for the Army, for issue and for sale at cost price according to the Army Regulations; for payment for clothing not drawn due to enlisted men on discharge; for altering and fitting clothing and washing and cleaning when necessary; for equipage, including authorized issues of toilet articles, barbers' and tailors' materials, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling, and similar necessaries; for a suit of citizen's outer clothing, to cost not exceeding \$10, to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April

twenty-second, eighteen hundred and ninety-eight, by order of medical officers of the Army for sanitary reasons, \$20,280,000.

*Provided*, That hereafter the proceeds derived from the sale of surplus cuttings of material for clothing manufactured by the Quartermaster Corps of the Army shall be deposited to the credit of that appropriation out of which the material was purchased: *Provided further*, That hereafter sewing machines and other labor-saving machinery used in the manufacture of clothing and equipage, motor trucks and passenger-carrying vehicles, and band instruments, may be exchanged in part payment for new machines, vehicles, and instruments used for the same purpose as those proposed to be exchanged.

*Provisos.*  
Sale of cloth cuttings,  
etc.

Exchange of ma-  
chines, vehicles, etc.

*Provided further*, That hereafter the accounting for Army supplies or property and the fixing of responsibility therefor shall be according to such regulations as may be prescribed by the Secretary of War.

Regulation of ac-  
counting, etc.

*Provided further*, That all the money hereinbefore appropriated under the titles Subsistence of the Army; Regular supplies, Quartermaster Corps; Incidental expenses, Quartermaster Corps; Transportation of the Army and its supplies; Water and sewers at military posts, and Clothing and camp and garrison equipage, shall be disbursed and accounted for by officers and agents of the Quartermaster Corps as "Supplies, Services, and Transportation, Quartermaster Corps," and for that purpose shall constitute one fund.

Supplies, Services,  
and Transportation.  
Combination fund  
constituted of.

**HORSES FOR CAVALRY, ARTILLERY, ENGINEERS, AND SO FORTH:** For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts, for officers entitled to public mounts for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian scouts, and for such Infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto, and for the hire of employees:

Horses.  
Purchases of, etc.

*Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and, unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, at a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy: *And provided further*, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place, \$2,500,000.

*Provisos.*  
Limitation.

Open market pur-  
chases.

Standard required.

Polo ponies.

**BARRACKS AND QUARTERS:** For barracks, quarters, stables, storehouses, magazines, administration and office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Coast Artillery; for constructing and repairing public buildings at military posts; for hire of employees; for rental of the authorized allowance of quarters for officers and acting dental surgeons on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for noncommissioned officers and enlisted men on duty where public quarters are not available; of grounds for cantonments, camp sites, and other military purposes, and of buildings or portions of buildings for occupation by troops, for use as stables, storehouses,

Barracks and quar-  
ters.

For National Guard  
in service.  
*Provided,*  
Fort Sam Houston,  
Tex.  
Additional land,  
buildings, etc., for sup-  
ply depots.

and offices, and for other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts as may be approved by the Secretary of War; for wall lockers in permanent barracks, and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters, and for flooring and framing for tents, and for the National Guard when called or drafted into the service of the United States, \$3,146,000: *Provided*, That the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase or condemnation, such additional land at Fort Sam Houston, Texas, as may be suitable for adequate supply depots and terminal facilities for Fort Sam Houston and the Southern Department, considering present and future needs; and he is further authorized and directed to commence at the earliest practicable date the construction at Fort Sam Houston, Texas, of suitable buildings, storehouses, shops, yards, and all necessary appliances and appurtenances for the establishment of supply depots of the Quartermaster Corps, the Medical Department, the Corps of Engineers, and the Signal Corps, together with all facilities and utilities necessary for the operations of said depots, including such switch tracks, sidings, loading, and entraining platforms, and devices as may be necessary, said switch tracks and sidings to be connected, under such regulations as the Secretary of War may prescribe, with such main lines of railroads as are available and with which arrangement for such connections can be satisfactorily effected, equal opportunities to make such arrangements to be extended to all competing railroads; and for the purposes of this proviso the sum of \$750,000 is hereby appropriated and authorized to be expended, out of any moneys in the Treasury not otherwise appropriated, under the direction of the Secretary of War: *Provided further*, That the Secretary of War is authorized to expend from the above amount not to exceed \$110,000 for the purpose of providing temporary shelter on the Canal Zone for one regiment of Infantry and one company of Engineers.

Switch tracks, etc.

Appropriation.

Canal Zone.  
Temporary shelter  
for troops.

Commutation re-  
stricted.

Civilian employees.

Dowsett Company.  
May remove build-  
ings from Schofield  
Barracks, Hawaii.

Forfeiture on failure.

Repairing forts, etc.  
damaged by Gulf hur-  
ricane.

Post exchanges.

*Provided further*, That no part of the moneys so appropriated shall be paid for commutation of fuel or quarters to officers or enlisted men: *And provided further*, That the number of and total sum paid for civilian employees in the Quartermaster Corps shall be limited to the actual requirements of the service, and that no employee therein shall receive a salary of more than \$150 per month, except upon the approval of the Secretary of War.

*Provided further*, That the Dowsett Company (Limited), a corporation of the Territory of Hawaii, assignee of the thirty-year leasehold interest granted to Harvey E. Whitney, by lease dated January fourteenth, eighteen hundred and eighty-two, in lands now comprised within the military reservation of Schofield Barracks, in the Territory of Hawaii, and its sublessees, be, and they are hereby, given permission to remove, within such time after the passage of this Act as the Secretary of War may designate, all buildings erected by them, respectively, on said lands during the term of the said original lease to Harvey E. Whitney, but not including fences or other improvements: *Provided further*, That in the event of their failure to remove the same within such time as the Secretary of War may designate, said buildings shall become the property of the United States as provided in said original lease.

For repairs to buildings, wharves, roads, and replacement of boats at Forts Barrancas, McRee, and Pickens, Florida, and Fort Morgan, Alabama, damaged by the hurricane of July fifth, nineteen hundred and sixteen, \$50,000.

**MILITARY POST EXCHANGES:** For continuing the construction, equipment, and maintenance of suitable buildings at military posts

and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, and gymnasium, including repairs to buildings erected at private cost, in the operation of the Act approved May thirty-first, nineteen hundred and two, for the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits, to be expended in the discretion and under the direction of the Secretary of War, \$48,592.

**ROADS, WALKS, WHARVES, AND DRAINAGE:** For the construction and repair by the Quartermaster Corps of roads, walks, and wharves; for the pay of employees; for the disposal of drainage; for dredging channels; and for care and improvement of grounds at military posts and stations, \$860,534: *Provided*, That \$6,000 of this sum may be used for repairing the military road in front of the east side of Arlington Cemetery.

*Provided*, That not to exceed \$30,000 thereof shall be expended in the Presidio of San Francisco, California, for the construction of a road connecting Fort Winfield Scott with the road constructed by the city and county of San Francisco leading to Fort Miley, in said city and county.

That the United States hereby consents to the closing and abandoning of such public streets or parts of public streets in the city and county of San Francisco lying north of Tonquin Street therein and east of the eastern boundary of the Presidio of San Francisco and within the site heretofore selected by the trustees of the California State Normal School of San Francisco in accordance with an act of the Legislature of California, and the United States hereby waives claim to said streets within said site and hereby grants to the State of California for the uses and purposes of said State Normal School all title of the United States thereto; and to effect the purposes hereof the Attorney General of the United States is hereby authorized and requested to cause appearance to be made in the name and on behalf of the United States in any suit to condemn the property within said site for the uses and purposes of said State Normal School in the courts of the State of California wherein the State of California is plaintiff, and in said suit, upon request of the attorney general of the State of California, to file on behalf of the United States a disclaimer on its part of any interest in said streets or the land embraced within said portions of said streets and within said site: *Provided*, That in the event said streets shall not be closed and in the event said site so selected is not used for the purposes of said State Normal School all rights of the United States shall be and remain as they are at the time of the passage of this Act.

That the Secretary of War is hereby authorized to grant to the Panama-Pacific International Exposition Company and its successors in interest a permit to occupy such portion of the Presidio of San Francisco Military Reservation as may be designated by the Secretary of War for the purpose hereinafter set forth, subject to the said privilege being revoked at any time when, in the opinion of the Secretary of War, the military necessities of the United States shall require the use of said portion of said Presidio of San Francisco Military Reservation, for the purpose of maintaining thereon, making repairs upon, or alterations in said Palace of Fine Arts and its appurtenances, approaches, and planting about the same for the use of said Panama-Pacific International Exposition Company and its successors in interest; and the United States hereby cedes to the State of California such jurisdiction over said portion of said military reservation as the said State now possesses elsewhere within its territory, such cession to be coextensive territorially with the lands, the use whereof may be granted to the Panama-Pacific International Exposition Company and its successors by the Secretary of War in accordance herewith and to terminate without further action on the part of the State of

Recreation buildings.  
Vol. 32, p. 282.

Military posts.  
Roads, walks  
wharves, etc.

Provisos  
Arlington Cemetery.

Presidio of San  
Francisco, Cal.  
Connecting road.

Abandonment of  
streets, etc., consented  
to, for normal school  
site, San Francisco,  
Cal.

Condemnation pro-  
ceedings.

Proviso.  
Reversion if site not  
used.

Panama-Pacific Ex-  
position Company.  
Permit to occupy  
portion of the Presidio,  
for Palace of Fine Arts.

Jurisdiction ceded to  
California.

<p><i>Proviso.</i> Termination of previous session. Vol. 38, p. 783.</p>	<p>California upon the revocation or termination of the privilege: <i>Provided</i>, That the cession of jurisdiction made by this Act shall take effect upon the termination of the cession of jurisdiction made by the joint resolution of Congress approved October twenty-second, nineteen hundred and fourteen, on the condition that the same is accepted by the Legislature of the State of California at its first session after the passage of this Act, this cession to be without prejudice to the jurisdiction of the United States to try and punish all crimes committed within said portion of said military reservation prior to the date jurisdiction vested in the State under said joint resolution approved October twenty-second, nineteen hundred and fourteen: <i>Provided further</i>, That when the United States shall resume possession of said lands, or any part thereof, the jurisdiction herein ceded over said lands so repossessed shall revert in the United States: <i>And provided further</i>, That in the event of the failure of said Exposition Company, or its successors, on the revocation of this privilege, to remove the buildings and improvements thereon, they shall then vest in and become the property of the United States: <i>And provided further</i>, That the privileges herein granted shall only apply so long as the building in question is used as an art museum, and for no other purpose.</p>
<p>Prior crimes.</p>	
<p>Revesting.</p>	
<p>Removal of buildings.</p>	
<p>Limitation.</p>	
<p><i>Alaska.</i> Military and post roads, etc.</p>	<p><b>CONSTRUCTION, REPAIR AND MAINTENANCE, MILITARY AND POST ROADS, BRIDGES, AND TRAILS, ALASKA:</b> Construction, repair and maintenance of military and post roads, bridges, and trails, Territory of Alaska, \$500,000.</p>
<p>Philippine Islands. Barracks and quarters.</p>	<p><b>BARRACKS AND QUARTERS, PHILIPPINE ISLANDS:</b> Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including repairs and payment of rents, the acquisition of title to building sites, and such additions to existing military reservations as may be necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, \$790,000.</p>
<p><i>Proviso.</i> Restriction on officers' quarters.</p>	<p><i>Provided</i>, That no part of said sum shall be expended for the construction of quarters for officers of the Army the total cost of which, including the heating and plumbing apparatus, wiring and fixtures, shall exceed in the case of quarters of a general officer the sum of \$8,000; of a colonel or officer above the rank of captain, \$6,000; and of an officer of and below the rank of captain, \$4,000.</p>
<p>Hospitals. Construction, etc.</p>	<p><b>CONSTRUCTION AND REPAIR OF HOSPITALS:</b> For construction and repair of hospitals at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same, and including also all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Arkansas, and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments, \$409,963.</p>
<p>Hot Springs, Ark.</p>	
<p>Temporary structures.</p>	
<p>Quarters for hospital stewards.</p>	<p><b>QUARTERS FOR HOSPITAL STEWARDS:</b> For construction and repair of quarters for hospital stewards at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same, \$14,043.</p>
<p>Shooting galleries and ranges.</p>	<p><b>SHOOTING GALLERIES AND RANGES:</b> For shelter, shooting galleries, ranges for small arms target practice, machine-gun practice, field-artillery practice, repairs, and expenses incident thereto, including flour or paste for marking targets, hire of employees, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War, \$49,000.</p>
<p>Vancouver Barracks, Wash. Target range lands.</p>	<p>Target range, Vancouver Barracks, Washington: For the acquisition of approximately five hundred and four acres of land situated</p>

near the city of Vancouver, Washington, to provide suitable target ranges for each arm of the military service stationed at Vancouver Barracks, Washington, and for the construction thereon of suitable target butts, range buildings, water supply, and so forth, \$100,000.

For the acquisition of private holdings now embraced in the Fort Bliss target range, situated in Dona Ana County, New Mexico, by condemnation or by purchase, \$7,120.

For sinking additional wells to augment the present insufficient water supply and for the construction of new ranges, \$28,000.

**MAINTENANCE, ARMY WAR COLLEGE:** For supplying the necessary fuel for heating the Army War College building at Washington Barracks and for lighting the building and grounds; also for pay of a chief engineer, at \$1,400 per annum; and assistant engineer, at \$900; four firemen, at \$720 each; one elevator conductor, at \$720; \$10,700.

**RENT OF BUILDINGS, QUARTERMASTER CORPS:** For rent of buildings and parts of buildings in the District of Columbia for military purposes, during the fiscal year nineteen hundred and seventeen, as follows:

- Field medical supply depot, \$7,967.10;
- Signal Corps test rooms, \$2,100;
- Quartermaster stable, \$2,700;
- Quartermaster stable and storehouse, \$4,938;
- Quartermaster stable and warehouse, \$3,600;
- For Army Medical School, \$8,680;
- For attending surgeon and retiring board, \$3,000;
- Depot quartermaster office, \$2,500;
- Garage, Quartermaster Corps, \$1,500;
- One room for storage purposes, Quartermaster Corps, \$54.

**CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY:** For payment of claims for damages to and loss of private property incident to the training, practice, and operations of the Army that have accrued, or may hereafter accrue, from time to time, to be immediately available and to remain available until expended: *Provided*, That settlement of such claims shall be made by the Auditor for the War Department, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages, \$5,000.

**MEDICAL DEPARTMENT.**

**MEDICAL AND HOSPITAL DEPARTMENT:** For the purchase of medical and hospital supplies, including motor ambulances, and motorcycles for medical service, their maintenance, repair, and operation, and disinfectants, and the exchange of typewriting machines, for military posts, camps, hospitals, hospital ships and transports, and supplies required for mosquito destruction in and about the military posts in the Canal Zone: *Provided*, That the Secretary of War may in his discretion select types and makes of motor ambulances for the Army and authorize their purchase without regard to the laws prescribing advertisement for proposals for supplies and material for the Army: *Provided further*, That hereafter, whenever contracts which are not to be performed within sixty days are made on behalf of the Government by the Surgeon General or by officers of the Medical Department authorized to make them, and are in excess of \$500 in amount, such contracts shall be reduced to writing and signed by the contracting parties, but in all other cases contracts shall be prepared under such regulations as may be prescribed by the Surgeon General; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals, of officers, enlisted men and civilian employees

Fort Bliss, Tex.  
Target rangelands.

Watersupply, etc.

Army War College.

Rent of buildings,  
Washington, D. C.  
Post, p. 811.

Target practice, etc.,  
damage claims.

*Proviso.*  
Settlement by Auditor.

Medical Department.

Supplies, etc.

Mosquito destruction.  
*Proviso.*  
Motor ambulances.

Contract requirements.      require-

*Provisions.*  
Private treatment  
excepted.

Contagious diseases  
expenses.

of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; for the pay of male and female nurses, not including the Nurse Corps (female), and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignment, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men, and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the Hospital Corps; for the supply of the Army and Navy Hospital at Hot Springs, Arkansas; for advertising, printing, binding, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$4,500,000, of which sum \$500,000 may be used under the direction of the Secretary of War in the erection or rental of temporary hospitals for the care and shelter of the sick and injured: *Provided*, That so much of the Act of June third, nineteen hundred and sixteen, as relates to the age limit for eligibility to appointment of first lieutenants in the Medical Department of the Army, be, and the same is hereby, repealed: *Provided further*, That after January first, nineteen hundred and eighteen, the maximum age limit for eligibility to appointment of first lieutenants in the Medical Department of the Army shall be thirty-two years.

Hot Springs Hospital, Ark.

Temporary hospitals.

Age limit of appointments in prior Act repealed.  
*Note*, p. 171.

Limit for first lieutenants made thirty-two, after January 1, 1918.

Canal Zone.  
Payment for hospital care, etc., at garrisons.

**HOSPITAL CARE, CANAL ZONE GARRISONS:** For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority: *Provided*, That the subsistence of the said patients, except commissioned officers and acting dental surgeons, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals, \$45,000.

Museum.

**ARMY MEDICAL MUSEUM AND LIBRARY:** For Army Medical Museum, preservation of specimens, and the preparation and purchase of new specimens, \$5,000;

Library.

For the library of the Surgeon General's office, including the purchase of the necessary books of reference and periodicals, \$10,000.

Bureau of Insular Affairs.

#### BUREAU OF INSULAR AFFAIRS.

Care of insane soldiers in the Philippines.

**CARE OF INSANE FILIPINO SOLDIERS:** For care, maintenance, and treatment at asylums in the Philippine Islands of insane natives of the Philippine Islands cared for in such institutions conformable to the Act of Congress approved May eleventh, nineteen hundred and eight (Thirty-fifth Statutes, page one hundred and twenty-two), \$1,500.

In Porto Rico.

**CARE OF INSANE SOLDIERS, PORTO RICO REGIMENT OF INFANTRY:** For care, maintenance, and treatment at asylums in Porto Rico of insane soldiers of the Porto Rico Regiment of Infantry, \$300.

ENGINEER DEPARTMENT.

Engineer Department.

**ENGINEER DEPOTS:** For incidental expenses for the depots, including fuel, lights, chemicals, stationery, hardware, machinery, pay of civilian clerks, mechanics, laborers, and other employees, extra-duty pay to soldiers necessarily employed for periods not less than ten days as artificers on work in addition to and not strictly in the line of their military duties, such as carpenters, blacksmiths, draftsmen, printers, lithographers, photographers, engine drivers, telegraph operators, teamsters, wheelwrights, masons, machinists, painters, overseers, laborers; for lumber and materials and for labor for packing and crating engineer supplies; repairs of, and for materials to repair, public buildings, machinery, and instruments, and for unforeseen expenses, \$27,500.

Incidental expenses at depots.

**ENGINEER SCHOOL, WASHINGTON, DISTRICT OF COLUMBIA:** Equipment and maintenance of the Engineer School at Washington Barracks, District of Columbia, including purchase and repair of instruments, machinery, implements, models, and materials, for the use of the school and for instruction of engineer troops in their special duties as sappers and miners; for land mining, pontoniering, and signaling; for purchase and binding of professional works and periodicals of recent date treating on military and civil engineering and kindred scientific subjects for the library of the United States Engineer School; for incidental expenses of the school, including chemicals, stationery, hardware, machinery, and boats; for pay of civilian clerks, draftsmen, electricians, mechanics, and laborers; compensation of civilian lecturers and payment of tuition fees of student officers at civil technical institutions; for unforeseen expenses; for travel expenses of officers on journeys approved by the Secretary of War and made for the purpose of instruction: *Provided*, That the traveling expenses herein provided for shall be in lieu of mileage and other allowances; and to provide means for the theoretical and practical instruction at the Engineer School by the purchase of textbooks, books of reference, scientific and professional papers, and for other absolutely necessary expenses, \$25,000.

Engineer School, Washington, D. C. Equipment, etc.

Incidental expenses.

Travel expenses.

*Proviso.*  
In lieu of mileage.

Textbooks, etc.

Lithographic press.

Trade school building.

Equipment of troops.

For one power lithographic press for the Engineer School, \$6,000.

For the purchase of material to be used in the construction of a trade school building at the Engineer School, to remain available until expended, \$9,000.

**ENGINEER EQUIPMENT OF TROOPS:** For pontoon material, tools, instruments, supplies, and appliances required for use in the engineer equipment of troops, for military surveys, and for engineer operations in the field, including the purchase and preparation of engineer manuals and procurement of special paper for same, and for a reserve supply of above equipment, to be immediately available, \$1,000,000.

*Proviso.*  
Motor cycles authorized.

*Provided*, That authority is granted for the purchase, maintenance, and repair and operation from this appropriation of not to exceed thirty-eight motorcycles, including those on hand.

Civilian assistants.

**CIVILIAN ASSISTANTS TO ENGINEER OFFICERS:** For services of surveyors, survey parties, draftsmen, photographers, master laborers, and clerks to Engineer officers on the staffs of division, corps, and department commanders, \$75,000.

Field operations expenses.

**ENGINEER OPERATIONS IN THE FIELD:** For expenses incident to military engineer operations in the field, including the purchase of material and a reserve of material for such operations, the purchase, operation, maintenance, and repair of passenger-carrying vehicles, and such expenses as are ordinarily provided for under appropriations for "Engineer depots," "Civilian assistants to Engineer officers," and "Maps, War Department," \$100,000.

Contingencies, Philippine Islands.

**CONTINGENCIES, ENGINEER DEPARTMENT, PHILIPPINE ISLANDS:** For contingent expenses incident to the operations of the Engineer

Department in the Philippine Islands, to be expended at the discretion of the Secretary of War, \$4,000.

Puuloa Reservation,  
Oahu, Hawaii.  
Transferred to the  
Navy.

Description.

The following-described tract of land on the island of Oahu, Hawaii, known as the Puuloa Military Reservation, is hereby transferred to and placed under the control and jurisdiction of the Navy Department for use for naval purposes: Beginning at a concrete monument on the beach on the west side of the entrance to Pearl Harbor situated about ninety feet south of the small pier and one hundred and twenty-two and five-tenths feet from the southeast corner of storehouse (from which said concrete monument Salt Lake triangulation station bears by true azimuth two hundred and thirty-eight degrees twenty-two minutes and the spire of Puuloa Church two hundred and forty-seven degrees two minutes) the boundary runs by true bearings as follows: Southwesterly along the shore at high-water mark to a similar concrete monument on the ocean beach; thence north fourteen degrees twenty minutes west one thousand one hundred and fifty feet to a concrete monument; north sixty-two degrees ten minutes east seven thousand nine hundred and forty-five feet to the point of beginning; containing three hundred and twenty-two and thirty-three one hundredths acres, more or less.

Per diem subsistence out of District of Columbia.

Where the expenses of persons engaged in field work or traveling on official business outside of the District of Columbia and away from their designated posts of duty are chargeable to appropriations of the Engineer Department contained in the Army appropriation Act for the fiscal year nineteen hundred and seventeen, a per diem rate of \$4 may be allowed in lieu of subsistence.

Ordnance Department.

#### ORDNANCE DEPARTMENT.

Current expenses.

**ORDNANCE SERVICE:** For the current expenses of the Ordnance Department in connection with purchasing, receiving, storing, and issuing ordnance and ordnance stores, comprising police and office duties, rents, tolls, fuel, light, water, and advertising, stationery, typewriters, and adding machines, including their exchange, and office furniture, tools, and instruments of service; for incidental expenses of the Ordnance Service and those attending practical trials and tests of ordnance, small arms, and other ordnance stores; for publications for libraries of the Ordnance Department, including the Ordnance Office; subscriptions to periodicals, which may be paid for in advance; and payment for mechanical labor in the office of the Chief of Ordnance; and for purchase, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles, \$475,000.

Ammunition for small arms, and manufacture purchase of.

**ORDNANCE STORES, AMMUNITION:** Manufacture and purchase of ammunition for small arms and for hand use for reserve supply, ammunition for burials at the National Soldiers' Home in Washington, District of Columbia, ammunition for firing the morning and evening gun at military posts prescribed by General Orders, Numbered Seventy, Headquarters of the Army, dated July twenty-third, eighteen hundred and sixty-seven, and at National Home for Disabled Volunteer Soldiers and its several branches, including National Soldiers' Home in Washington, District of Columbia, and soldiers' and sailors' State homes, \$10,000,000.

Provisos. Amount for purchases.

Tools, etc., for manufacture of ammunition.

*Ante*, p. 215.

*Provided*, That not more than \$5,000,000 of this appropriation may be used in the purchase of ammunition.

*Provided further*, That \$250,000 of this appropriation may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings necessary for the manufacture by the Government and by private manufacturers of ammunition necessary for the use of the land forces of the United States in time of war, and in the purchase of

lots of ammunition to complete the object of this proviso the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed \$50,000 in any one case.

Competition modified.

**SMALL-ARMS TARGET PRACTICE:** For manufacture and purchase of ammunition, targets, and other accessories for small-arms, hand, and machine-gun target practice and instruction; marksmen's medals, prize arms, and insignia for all arms of the service; and ammunition, targets, target materials, and other accessories may be issued for small-arms target practice and instruction of able-bodied males capable of bearing arms and at the educational institutions and State soldiers' and sailors' orphans' homes to which issues of small arms are lawfully made, under such regulations as the Secretary of War may prescribe, provided the total value of the stores so issued to the educational institutions and homes does not exceed \$30,000, \$3,000,000.

Target practice. Manufacture and purchase of ammunition, targets, etc., for.

*Provided,* That not more than \$1,500,000 of this appropriation may be used for the purchase of articles not manufactured by the Government and necessary for small-arms target practice.

Proviso. Amount for purchases.

**MANUFACTURE OF ARMS:** For manufacturing, repairing, procuring, and issuing arms at the national armories, \$5,000,000.

Manufacturing, etc., arms.

*Provided,* That \$200,000 of this appropriation may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings, necessary for the manufacture by private manufacturers, of arms necessary to arm the land forces likely to be required by the United States in time of war, and in the purchase of lots of arms to complete the object of this proviso the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed \$50,000 in any one case.

Proviso. Tools, etc., for manufacture of arms by private parties. *Ante,* p. 215.

Competition modified.

The Secretary of War is hereby authorized to issue, under such rules and regulations as he may prescribe, for use in target practice, targets, target materials, and other necessary accessories, to rifle clubs organized under the rules of the National Board for the Promotion of Rifle Practice and to schools having a uniformed corps of cadets and carrying on military training, in sufficient number for the proper conduct of target practice.

Target practice. Issues to rifle clubs, etc., for.

**ORDNANCE STORES AND SUPPLIES:** For overhauling, cleaning, repairing, and preserving ordnance and ordnance stores in the hands of troops and at the arsenals, posts, and depots; for purchase and manufacture of ordnance stores to fill requisitions of troops; for Infantry, Cavalry, and Artillery equipments, including horse equipments for Cavalry and Artillery, \$9,500,000.

Preserving, etc., ordnance.

*Provided,* That not more than \$5,600,000 of this appropriation may be used for the purchase of ordnance stores.

Proviso. Amount for purchases.

The Secretary of War is hereby authorized to sell, at the prices fixed and published by the Chief of Ordnance, to the Government of Cuba such articles and quantities of ordnance and ordnance stores as may be desired by that Government for the equipment of its troops and as may be approved by the President of the United States.

Cuba. Sale of ordnance to, authorized.

**NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS:** For the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifle clubs, and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes

Rifle contests. Trophy, medals, prizes, etc., for.

hereinbefore prescribed under the direction of the Secretary of War, \$10,000.

Automatic machine rifles. Purchase, manufacture, etc.

**AUTOMATIC MACHINE RIFLES:** For the purchase, manufacture, and test of automatic machine rifles, including their sights and equipments, to be available until the close of the fiscal year ending June thirtieth, nineteen hundred and eighteen, \$6,000,000.

For National Guard.

**AUTOMATIC MACHINE RIFLES:** For the purchase, manufacture, and test of automatic machine rifles, including their sights and equipments, for the National Guard, to be available until the close of the fiscal year ending June thirtieth, nineteen hundred and eighteen, \$6,000,000.

Armored motor cars.

**ARMORED MOTOR CARS:** For the purchase and manufacture of armored motor cars, \$500,000.

National Guard. Manufacture of field artillery material for.

**FIELD ARTILLERY FOR NATIONAL GUARD:** For the purpose of manufacturing field artillery material for the National Guard of the several States, Territories, and the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories or the commanding general of the National Guard of the District of Columbia, to issue said artillery material to the National Guard; and the sum of \$10,000,000 is hereby appropriated and made immediately available and to remain available until the end of the fiscal year nineteen hundred and eighteen, for the manufacture and issue of the articles constituting the same: *Provided*, That not more than \$5,000,000 of this appropriation may be used for the purchase of field artillery material.

Proviso. Amount for purchases.

Ammunition, field artillery. Manufacturing reserve.

**AMMUNITION FOR FIELD ARTILLERY FOR THE NATIONAL GUARD:** For the purpose of manufacturing reserve ammunition for Field Artillery for the National Guard of the several States, Territories, and the District of Columbia, the funds to be immediately available, and to remain available until the end of the fiscal year ending June thirtieth, nineteen hundred and eighteen, \$10,000,000.

Provisos. Amount for purchases.

Tools, etc., for manufacture by private parties. *Note*, p. 215.

*Provided*, That not more than \$5,000,000 of this appropriation may be used in the purchase of Field Artillery reserve ammunition.

*Provided further*, That not more than \$200,000 of this appropriation may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings necessary for the manufacture by private manufacturers of Field Artillery ammunition necessary for the use of the land forces of the United States in time of war, and in the purchase of lots of ammunition to complete the object of this proviso the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed \$50,000 in any one case.

Competition modified.

Per diem subsistence.

*Provided further*, That the appropriations hereinbefore made under the heading "Ordnance Department" shall be available for the payment of an allowance not to exceed \$4 per day in lieu of subsistence to civilian employees of the Ordnance Department traveling on official business outside of the District of Columbia and away from their designated posts of duty.

Pay clerk. Appointment of, as first lieutenant, Quartermaster Corps.

That the President is authorized to appoint, and, by and with the advice and consent of the Senate, to commission to the grade of first lieutenant in the Quartermaster Corps, United States Army, a pay clerk of over thirty-one years' service, now in active service, and who has been recommended by the then Secretary of War for such appointment.

Fort Riley, Kans. Replacing bridge across Republican River, near.

That for the replacement of a bridge across the Republican River near Fort Riley, Kansas, under the direction of the Secretary of War, \$30,000, or so much thereof as may be necessary, and the Treasurer of the United States is hereby directed and authorized to retain, out of any moneys due or that may become due from the Government of

the United States to the State of Kansas, a sum equal to the amount expended for the replacement of said bridge.

The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material and equipment, or for such other purposes connected with the emergency as may be needful or desirable.

Transportation of troops, etc.  
Exclusive control of systems in time of war

NATIONAL GUARD.

National Guard.

**ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD:** To provide for the purchase, under such regulations as the Secretary of War may prescribe, of horses conforming to the Regular Army standards for the use of Field Artillery, Cavalry, signal companies, engineer companies, ambulance companies, and other mounted units of the National Guard, said horses to remain the property of the United States and to be used solely for military purposes. Horses so purchased may be issued not to exceed thirty-two to any one battery, troop, or company, or four to a battalion or regimental headquarters, under such regulations as the Secretary of War may prescribe, \$50,000.

Horses.  
Purchase, etc., for.  
*Ante*, p. 205.

Regulation for use.

To provide for the procurement of forage, bedding, shoeing, veterinary service, and supplies for horses that may be owned by, or issued to organizations of the National Guard, \$25,000.

Forage, care, etc.

To provide for the compensation of competent help for the care of matériel, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe: *Provided*, That the men to be compensated, not to exceed five for each battery, troop, or company, shall be duly enlisted therein and shall be detailed by the battery, troop, or company commander under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State, Territory, and the District of Columbia, \$25,000.

Pay of enlisted men for care, etc.  
*Proviso*.  
Details, etc.

To provide for the participation of the whole or any part of the National Guard in encampments, maneuvers, or other exercises, including outdoor target practice and field and coast-defense instruction, either independently or in conjunction with any part of the Regular Army, and there may be set aside from the funds apportioned for that purpose and allotted to any State, Territory, or the District of Columbia such portion of said funds as may be necessary for the payment, subsistence, transportation, and other proper expenses of such portion of the National Guard of said State, Territory, or the District of Columbia as shall participate in such encampments, maneuvers, or other exercises, including outdoor target practice and field and coast-defense instruction; and the officers and enlisted men of such National Guard while so engaged shall be entitled to the same pay, subsistence, and transportation as officers and enlisted men of corresponding grades of the Regular Army are or hereafter may be entitled to by law: To provide for camps of instruction for the instruction of officers and enlisted men of the National Guard. Such camps shall be conducted by officers of the Regular Army detailed by the Secretary of War for the purpose, and may be located either within or without the State, Territory, or District of Columbia to which the members of the National Guard designated to attend said camps shall belong. Officers and enlisted men attending such camps shall be entitled to pay and transportation, and enlisted men to subsistence in addition at the same rates as for encampments or maneuvers for field and coast-defense instruction. To be immediately available, \$500,000: *Provided*, That of this sum \$100,000, or as much

Participation in Army encampments, maneuvers, etc.  
*Ante*, p. 206.

Pay, etc., allowed.

National Guard instruction camps.  
Army officers to conduct.  
*Ante*, p. 207.

Pay, etc., for attendance.

*Provisos*.

- Transportation of Army troops. *of* thereof as may be necessary, is authorized to be expended for the payment of transportation of troops of the Regular Army in connection with joint camps of instruction of the National Guard: *Provided further*, That hereafter nothing in the Act of February fourth, eighteen hundred and eighty-seven, known as the Act to regulate commerce, or any amendments thereto, shall be construed to prohibit any common carrier from giving reduced rates for members of National Guard organizations traveling to and from joint encampments with the Regular Army.
- Reduced rates by carriers allowed. Vol. 24, p. 379. *by*
- Instruction at Army schools. *Ante*, p. 207. At posts. To provide for the attendance of selected officers or enlisted men of the National Guard who pursue a regular course of study at any military service school of the United States except the United States Military Academy; or to be attached to an organization of the same arm, corps, or department, to which such officers or enlisted men shall belong, for routine practical instruction at or near an Army post during a period of field training or other outdoor exercises; and such officer or enlisted men shall receive out of any National Guard allotment of funds available for the purpose, the same travel allowance and quarters or commutation of quarters, and the same pay, allowance, and subsistence to which officers or enlisted men of the Regular Army would be entitled for attending such school, college, or practical course of instruction under orders from proper military authority while in actual attendance at such school, college, or practical course of instruction, \$50,000: *Provided*, That in no case shall the pay and allowances authorized herein exceed those of a captain.
- Allotment for pay, etc. Officers assigned to Militia Bureau. To provide for pay and allowances of officers of the National Guard assigned to duty in the Militia Bureau, \$12,000.
- Property and disbursing officers. *Ante*, p. 200. Arms, military supplies, etc. *Ante*, pp. 92, 199. To provide for pay of property and disbursing officers of the several States, Territories, and District of Columbia, \$44,150.
- Proviso*. Pay limit. For providing arms, ordnance stores, quartermaster stores, camp equipage, and all other military supplies for issue to the National Guard; for the promotion of rifle practice, including the acquisition, construction, maintenance and equipment of shooting galleries and suitable target ranges; for the hire of horses and draft animals for the use of mounted troops, batteries, and wagons; for forage for the same; and for such other incidental expenses in connection with lawfully authorized encampments, maneuvers, and field instruction as the Secretary of War may deem necessary; and for such other expenses pertaining to the National Guard as are now or may hereafter be authorized by law, \$1,000,000: *Provided*, That the Secretary of War is hereby authorized to relieve any State, Territory, or the District of Columbia from further accountability for all United States property issued thereto for the use of the Organized Militia thereof which the records of the War Department show to have been lost or destroyed prior to December thirty-first, nineteen hundred and eleven.
- Proviso*. States, etc., relieved of liability for property lost, etc., prior to December 31, 1911. To provide for the necessary clerical and office expenses of the Militia Bureau authorized by section sixty-seven of the Act approved June third, nineteen hundred and sixteen: Chief clerk, \$2,000; clerks—two of class four, three of class three, seven of class two, fifteen of class one, eight at \$1,000 each; messenger; two assistant messengers; two laborers, at \$660 each per annum;
- Militia Bureau. Clerical, etc., expenses. *Ante*, p. 203. For miscellaneous expenses, including stationery, furniture, telegraph and telephone service, and necessary printing and binding, \$4,000;
- Miscellaneous. Travel of Federal officers for inspection, etc. *Ante*, p. 206. Travel of Federal officers in carrying out the provisions of section ninety-three of the Act of June third, nineteen hundred and sixteen, \$17,500;
- Travel of Federal officers for inspection, etc. *Ante*, p. 206. Travel of inspector-instructors and sergeant-instructors, joining at State stations for duty and returning to duty with regiments, \$7,500;
- Armory instruction. *Proviso*. Limit. Travel of inspector-instructors in making visits of instruction to armories, \$30,000: *Provided*, That said inspector-instructors travel-

ing shall not receive more than their actual expenses out of these appropriations;

Travel of Federal officers in connection with State camps of instruction and joint camps, \$30,000; State instruction camps.

Inspection of target ranges and mobilization camps for use of the National Guard, \$1,000; Target inspection, etc.

Inspection of material pertaining to Field Artillery and Signal Corps in the hands of the National Guard, \$2,000; Inspecting material.

Transportation of supplies (including transportation of animals bought for the use of Cavalry, Field Artillery, signal companies, Engineer companies, ambulance companies, and other mounted units) of the National Guard, \$75,000; Transporting supplies.

Expenses of sergeant-instructors on duty with the National Guard, including quarters, fuel, light, medicines, and medical attendance, \$50,000; Sergeant-instructors. Ante, p. 139.

*Provided*, That whenever practicable inspector-instructors shall use the State armories for offices; Proviso. Offices.

Office rent of inspector-instructors, \$12,500. Office rent.

All the money hereinbefore appropriated for arming, equipping, and training the National Guard shall be disbursed and accounted for as such and for that purpose shall constitute one fund. Accounting.

**ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, NATIONAL GUARD:** Arms, etc., for field service. Ante, p. 203.

To procure by purchase or manufacture and issue from time to time to the National Guard upon requisition of the governors of the several States and Territories, or the commanding general, National Guard of the District of Columbia, such number of United States service arms with all accessories, Field Artillery and Coast Artillery material, engineer, signal, and sanitary material, accouterments, field uniforms, clothing, equipage, publications, and military stores of all kinds, including public animals, as are necessary to arm, uniform, and equip for field service the National Guard in the several States, Territories, and the District of Columbia: *Provided*, That of the sum herein appropriated \$76,000, or so much thereof as may be required, may, in the discretion of the Secretary of War, be made available for the purchase and maintenance of material and equipment necessary for the proper instruction in military aviation of such officers and enlisted men of the National Guard as may be authorized by the War Department to attend the United States Aviation School, \$2,000,000. Proviso. Aviation instruction.

**RANGES FOR FIELD ARTILLERY TARGET PRACTICE:** For the acquisition by purchase or condemnation of the necessary land for suitable ranges for Field Artillery target practice, the land to be of such general character as to permit of use for instruction of troops of other arms to be located within the eastern and western military departments, and to defray the expenses incident to locating and acquiring title thereto, \$300,000. Target ranges for Field Artillery practice.

**SUPPLYING AND EXCHANGING INFANTRY EQUIPMENT, NATIONAL GUARD:** For the purpose of manufacturing, procuring, exchanging, and issuing model of nineteen hundred and ten equipment to the Infantry and other dismounted organizations of the National Guard of the several States, Territories, and the District of Columbia: *Provided*, That whenever in the opinion of the Secretary of War a sufficient number of Infantry equipment, model of nineteen hundred and ten, shall have been procured and shall be available for the purpose the Secretary of War is hereby authorized to issue on the requisition of the governors of the several States and Territories, or the commanding general of the District of Columbia National Guard, such numbers thereof as are required for equipping the National Guard in said States, Territories, and the District of Columbia, without charging the cost or value thereof or any expenses connected Issue of new Infantry equipment, etc. Ante, p. 204.

*Provisos.* Requisitions for, etc.

Receipt and accounting. therewith against any allotments to said States, Territories, or the District of Columbia: *Provided*, That the equipment thus issued shall be receipted for and shall remain the property of the United States and be annually accounted for by the governors of the several States, Territories, and the commanding general of the District of Columbia National Guard as now required by law, and that each State, Territory, and the District of Columbia shall, upon receipt of new equipment, turn in to the Ordnance Department of the United States Army, without receiving any money credit therefor and without expense for transportation of Infantry equipment now in its possession, the property of the United States, and replaced by articles of the model of nineteen hundred and ten equipment, \$400,000.

Return, etc., of prior issues. To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the National Board for Promotion of Rifle Practice and approved by the Secretary of War; to provide standard military arms and ammunition, indoor gallery rifles and ammunition; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors; for clerical services; for prizes, trophies, badges, and other insignia; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship, to be expended under the direction of the Secretary of War and to remain available until expended, \$300,000: *Provided*, That the President be, and he is hereby, authorized, in his discretion, to appoint, as Director of Civilian Marksmanship, under the direction of the Secretary of War, an officer of the Army or of the Marine Corps.

Ranges for civil rifle practice. *Ante*, p. 211. To provide for the expense of maintaining, upon military reservations or elsewhere, camps for the military instruction and training of such citizens as may be selected for such instruction and training, under such regulations as may be prescribed by the Secretary of War, and to furnish to said citizens the subsistence, transportation, and uniforms authorized by the Act of Congress approved June third, nineteen hundred and sixteen, \$2,000,000: *Provided*, That so much of this appropriation as may be necessary shall be available for the subsistence and transportation of all persons between the ages of eighteen and forty-five years who have attended any camp authorized by the Secretary of War during the calendar year nineteen hundred and sixteen.

Arms, ammunition, etc., for. Citizen training camps. Maintenance. *Ante*, p. 194. For the payment of transportation of teams authorized by the Secretary of War to participate in the national matches, \$60,000: *Provided*, That this amount shall be proportioned among the several States, Territories, and the District of Columbia, according to the distance from the seat of government to the place where the national matches are to be held: *And provided further*, That the governors of the States or Territories or the Board of Commissioners of the District of Columbia may designate which team or teams shall attend from their respective States, Territories, or District of Columbia.

*Proviso*. Director of Civilian Marksmanship. *Proviso*. Subistence, etc., for attending in 1916. *Provided*, That no part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for

Transporting rifle teams to matches. *Provisos*. Apportionment of amount. Selection of teams. No pay to officer, etc., using time-measuring device, etc., over job of employee.

suggestions resulting in improvements or economy in the operation of any Government plant.

That the sum of \$2,000,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, and under such rules and regulations as he may prescribe, for the support of, at a cost of not more than \$50 per month, or so much of said amount as the Secretary of War may deem necessary, and not more than such enlisted man has been contributing monthly to the support of his family at the time of his being called or drafted into the service of the United States or during his enlistment period in the Regular Army at the time of such call or draft of the Organized Militia or National Guard, the family of each enlisted man of the Organized Militia or National Guard called or drafted into the service of the United States until his discharge from such service, and the family of each enlisted man of the Regular Army until his discharge from active service therein or until the discharge of the Organized Militia or National Guard from such service if such enlisted man is at that time in active service in the Regular Army, which family during the term of service of such enlisted man has no other income, except the pay of such enlisted man, adequate for the support of said family: *Provided*, That the action of the Secretary of War in all cases provided for in this paragraph shall be final, and no right to prosecute a suit in the Court of Claims or in any other court of the United States against the Government of the United States shall accrue to such enlisted man, or to any member of the family of any such enlisted man, by virtue of the passage of this Act: *And provided further*, That this paragraph shall not apply to any such enlisted man who shall marry after the fifteenth day of July, nineteen hundred and sixteen; and the word "family" shall include only wife, children, and dependent mothers.

Support of families of enlisted men called or drafted into military service.  
Post, p. 801.

Of Army enlisted man until National Guard discharged.

*Proviso.*  
Action of Secretary of War final, etc.

Marriage restriction, etc.

Citizenship.  
Required of Army officers appointed in time of peace.

Coast Guard.  
Use of uniform restricted.  
*Act*, p. 216.

Pensions.  
Civil War restriction repealed.  
R. S., sec. 4716, p. 919, repealed.  
Council of National Defense.  
Composition.

Advisory commission to be appointed.  
Special qualifications.

Expenses allowed.

Meetings.

Subjects for investigation, etc.

That no part of the appropriations made in this Act shall be available for the salary or pay of any person hereafter, in time of peace, appointed an officer in the Army who is not a citizen of the United States.

That section one hundred and twenty-five of the Act entitled "An Act for further and more effectual provision for the national defense, and for other purposes," approved June third, nineteen hundred and sixteen, shall apply to the Coast Guard in the same manner as to the Army, Navy, and Marine Corps.

That section forty-seven hundred and sixteen of the Revised Statutes be, and the same is hereby, repealed.

SEC. 2. That a Council of National Defense is hereby established, for the coordination of industries and resources for the national security and welfare, to consist of the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor.

That the Council of National Defense shall nominate to the President, and the President shall appoint, an advisory commission, consisting of not more than seven persons, each of whom shall have special knowledge of some industry, public utility, or the development of some natural resource, or be otherwise specially qualified, in the opinion of the council, for the performance of the duties hereinafter provided. The members of the advisory commission shall serve without compensation, but shall be allowed actual expenses of travel and subsistence when attending meetings of the commission or engaged in investigations pertaining to its activities. The advisory commission shall hold such meetings as shall be called by the council or be provided by the rules and regulations adopted by the council for the conduct of its work.

That it shall be the duty of the Council of National Defense to supervise and direct investigations and make recommendations to

Frontier railroads. the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense; the coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad; the utilization of waterways; and the mobilization of military and naval resources for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements relating thereto, and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation.

Highways, etc.

Mobilizing resources. Increase of domestic production.

Seagoing transportation. Sources of military supplies, etc.

Conduct of investigations. That the Council of National Defense shall adopt rules and regulations for the conduct of its work, which rules and regulations shall be subject to the approval of the President, and shall provide for the work of the advisory commission to the end that the special knowledge of such commission may be developed by suitable investigation, research, and inquiry and made available in conference and report for the use of the council; and the council may organize subordinate bodies for its assistance in special investigations, either by the employment of experts or by the creation of committees of specially qualified persons to serve without compensation, but to direct the investigations of experts so employed.

Subordinate bodies for special work, etc.

Appropriation for experimental work, etc. That the sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available for experimental work and investigations undertaken by the council, by the advisory commission, or subordinate bodies, for the employment of a director, expert and clerical expenses and supplies, and for the necessary expenses of members of the advisory commission or subordinate bodies going to and attending meetings of the commission or subordinate bodies. Reports shall be submitted by all subordinate bodies and by the advisory commission to the council, and from time to time the council shall report to the President or to the heads of executive departments upon special inquiries or subjects appropriate thereto, and an annual report to the Congress shall be submitted through the President, including as full a statement of the activities of the council and the agencies subordinate to it as is consistent with the public interest, including an itemized account of the expenditures made by the council or authorized by it, in as full detail as the public interest will permit: *Provided, however,* That when deemed proper the President may authorize, in amounts stipulated by him, unvouchered expenditures and report the gross sums so authorized not itemized.

Submission of reports, etc.

Detail of expenses.

Proviso. Amounts without items.

Articles of War. Sec. 3. That section thirteen hundred and forty-two of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

Title and effect. R. S., sec. 1342, pp. 230-242, amended. "SEC. 1342. The articles included in this section shall be known as the Articles of War and shall at all times and in all places govern the armies of the United States.

Preliminary provisions.

#### "I. PRELIMINARY PROVISIONS.

Definitions.

"ARTICLE 1. DEFINITIONS.—The following words when used in these articles shall be construed in the sense indicated in this Article, unless the context shows that a different sense is intended, namely:

Officer.

"(a) The word 'officer' shall be construed to refer to a commissioned officer;

"(b) The word 'soldier' shall be construed as including a non-commissioned officer, a private, or any other enlisted man;

Soldier.

"(c) The word 'company' shall be understood as including a troop or battery; and

Company.

"(d) The word 'battalion' shall be understood as including a squadron.

Battalion.

"ART. 2. PERSONS SUBJECT TO MILITARY LAW.—The following persons are subject to these articles and shall be understood as included in the term 'any person subject to military law,' or 'persons subject to military law,' whenever used in these articles: *Provided*, That nothing contained in this Act, except as specifically provided in Article two, subparagraph (c), shall be construed to apply to any person under the United States naval jurisdiction, unless otherwise specifically provided by law.

Persons subject hereto.

*Proviso.*  
Naval jurisdiction.

"(a) All officers and soldiers belonging to the Regular Army of the United States; all volunteers, from the dates of their muster or acceptance into the military service of the United States; and all other persons lawfully called, drafted or ordered into, or to duty or for training in, the said service, from the dates they are required by the terms of the call, draft or order to obey the same;

Regular Army, Volunteers, etc.

"(b) Cadets;

Cadets.

"(c) Officers and soldiers of the Marine Corps when detached for service with the armies of the United States by order of the President: *Provided*, That an officer or soldier of the Marine Corps when so detached may be tried by military court-martial for an offense committed against the laws for the government of the naval service prior to his detachment, and for an offense committed against these articles he may be tried by a naval court-martial after such detachment ceases;

Marine Corps when attached to Army.

*Proviso.*  
Naval offenses, etc.

"(d) All retainers to the camp and all persons accompanying or serving with the armies of the United States without the territorial jurisdiction of the United States, and in time of war all such retainers and persons accompanying or serving with the armies of the United States in the field, both within and without the territorial jurisdiction of the United States, though not otherwise subject to these articles;

Retainers and followers abroad.

"(e) All persons under sentence adjudged by courts-martial;

Courts-martial prisoners, etc.

"(f) All persons admitted into the Regular Army Soldiers' Home at Washington, District of Columbia.

Soldiers' Home inmates.

## "II. COURTS-MARTIAL.

Courts-martial.

"ART. 3. COURTS-MARTIAL CLASSIFIED.—Courts-martial shall be of three kinds, namely:

Classification.  
Vol. 37, p. 721.

"First, general courts-martial;

"Second, special courts-martial; and

"Third, summary courts-martial.

### "A. COMPOSITION.

Composition.

"ART. 4. WHO MAY SERVE ON COURTS-MARTIAL.—All officers in the military service of the United States, and officers of the Marine Corps when detached for service with the Army by order of the President, shall be competent to serve on courts-martial for the trial of any persons who may lawfully be brought before such courts for trial.

Officers competent for.

"ART. 5. GENERAL COURTS-MARTIAL.—General courts-martial may consist of any number of officers from five to thirteen, inclusive; but they shall not consist of less than thirteen, when that number can be convened without manifest injury to the service.

General.

"ART. 6. SPECIAL COURTS-MARTIAL.—Special courts-martial may consist of any number of officers from three to five, inclusive.

Special.

"ART. 7. SUMMARY COURTS-MARTIAL.—A summary court-martial shall consist of one officer.

Summary.

Appointment.

## "B. BY WHOM APPOINTED.

General.

"ART. 8. GENERAL COURTS-MARTIAL.—The President of the United States, the commanding officer of a territorial division or department, the Superintendent of the Military Academy, the commanding officer of an army, an army corps, a division, or a separate brigade, and, when empowered by the President, the commanding officer of any district or of any force or body of troops may appoint general courts-martial; but when any such commander is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior competent authority, and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

Special.

"ART. 9. SPECIAL COURTS-MARTIAL.—The commanding officer of a district, garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a brigade, regiment, detached battalion, or other detached command may appoint special courts-martial; but when any such commanding officer is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior authority, and may in any case be appointed by superior authority when by the latter deemed desirable; and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

Summary.

"ART. 10. SUMMARY COURTS-MARTIAL.—The commanding officer of a garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a regiment, detached battalion, detached company, or other detachment may appoint summary courts-martial; but such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable: *Provided*, That when but one officer is present with a command he shall be the summary court-martial of that command and shall hear and determine cases brought before him.

*Proviso.*  
Single officer, with  
command.

Judge advocates.

"ART. 11. APPOINTMENT OF JUDGE ADVOCATES.—For each general or special court-martial the authority appointing the court shall appoint a judge advocate, and for each general court-martial one or more assistant judge advocates when necessary.

Jurisdiction.

## "C. JURISDICTION.

General.

"ART. 12. GENERAL COURTS-MARTIAL.—General courts-martial shall have power to try any person subject to military law for any crime or offense made punishable by these articles and any other person who by the law of war is subject to trial by military tribunals: *Provided*, That no officer shall be brought to trial before a general court-martial appointed by the Superintendent of the Military Academy.

*Proviso.*  
Military Academy  
restriction.

Special.

"ART. 13. SPECIAL COURTS-MARTIAL.—Special courts-martial shall have power to try any person subject to military law, except an officer, for any crime or offense not capital made punishable by these articles: *Provided*, That the President may, by regulations, which he may modify from time to time, except from the jurisdiction of special courts-martial any class or classes of persons subject to military law.

*Proviso.*  
Modification.

Punishment re-  
stricted.

"Special courts-martial shall not have power to adjudge dishonorable discharge, nor confinement in excess of six months, nor to adjudge forfeiture of more than six months' pay.

Summary.

"ART. 14. SUMMARY COURTS-MARTIAL.—Summary courts-martial shall have power to try any person subject to military law, except an officer, a cadet, or a soldier holding the privileges of a certificate of eligibility to promotion, for any crime or offense not capital made punishable by these articles: *Provided*, That noncommissioned officers shall not, if they object thereto, be brought to trial before a summary court-martial without the authority of the officer competent to bring

*Provisos.*  
Noncommissioned  
officers.

them to trial before a general court-martial: *Provided further*, That the President may, by regulations, which he may modify from time to time, except from the jurisdiction of summary courts-martial any class or classes of persons subject to military law.

"Summary courts-martial shall not have power to adjudge confinement in excess of three months, nor to adjudge the forfeiture of more than three months' pay: *Provided*, That when the summary court officer is also the commanding officer no sentence of such summary court-martial adjudging confinement at hard labor or forfeiture of pay, or both, for a period in excess of one month shall be carried into execution until the same shall have been approved by superior authority.

"ART. 15. NOT EXCLUSIVE.—The provisions of these articles conferring jurisdiction upon courts-martial shall not be construed as depriving military commissions, provost courts, or other military tribunals of concurrent jurisdiction in respect of offenders or offenses that by the law of war may be lawfully triable by such military commissions, provost courts, or other military tribunals.

"ART. 16. OFFICERS; HOW TRIABLE.—Officers shall be triable only by general courts-martial, and in no case shall an officer, when it can be avoided, be tried by officers inferior to him in rank.

#### "D. PROCEDURE.

"ART. 17. JUDGE ADVOCATE TO PROSECUTE.—The judge advocate of a general or special court-martial shall prosecute in the name of the United States, and shall, under the direction of the court, prepare the record of its proceedings. The accused shall have the right to be represented before the court by counsel of his own selection for his defense, if such counsel be reasonably available, but should he, for any reason, be unrepresented by counsel, the judge advocate shall from time to time throughout the proceedings advise the accused of his legal rights.

"ART. 18. CHALLENGES.—Members of a general or special court-martial may be challenged by the accused, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time.

"ART. 19. OATHS.—The judge advocate of a general or special court-martial shall administer to the members of the court, before they proceed upon any trial, the following oath or affirmation: 'You, A. B., do swear (or affirm) that you will well and truly try and determine, according to the evidence, the matter now before you, between the United States of America and the person to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority, except to the judge advocate and assistant judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God.'

"When the oath or affirmation has been administered to the members of a general or special court-martial, the president of the court shall administer to the judge advocate and to each assistant judge advocate, if any, an oath or affirmation in the following form: 'You, A. B., do swear (or affirm) that you will not divulge the findings or

Modifications.

Punishment restricted.

*Proviso.*  
Approval required.

Jurisdiction not exclusive.

Trial of officers.

Procedure.

Prosecutions.

Counsel for accused.

Challenges.

Oaths to be administered.  
Members of court.

Judge advocate and assistants.

sentence of the court to any but the proper authority until they shall be duly disclosed by the same. So help you God.'

Witnesses.

"All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: 'You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God.'

Reporter.

"Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God.'

Interpreter.

"Every interpreter in the trial of any case before a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God.'

Affirmations.

"In case of affirmation the closing sentence of adjuration will be omitted.

Continuances.

"ART. 20. CONTINUANCES.—A court-martial may, for reasonable cause, grant a continuance to either party for such time and as often as may appear to be just.

Refusal to plead.

"ART. 21. REFUSAL TO PLEAD.—When the accused, arraigned before a court-martial, from obstinacy and deliberate design stands mute or answers foreign to the purpose, the court may proceed to trial and judgment as if he had pleaded not guilty.

Process to compel attendance.

"ART. 22. PROCESS TO OBTAIN WITNESSES.—Every judge advocate of a general or special court-martial and every summary court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of the United States, having criminal jurisdiction, may lawfully issue; but such process shall run to any part of the United States, its Territories, and possessions.

Refusal to appear or testify, a misdemeanor.

"ART. 23. REFUSAL TO APPEAR OR TESTIFY.—Every person not subject to military law who, being duly subpoenaed to appear as a witness before any military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before such court, commission, court of inquiry, or board, willfully neglects or refuses to appear, or refuses to qualify as a witness, or to testify, or produce documentary evidence which such person may have been legally subpoenaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States or in a court of original criminal jurisdiction in any of the Territorial possessions of the United States, jurisdiction being hereby conferred upon such courts for such purpose; and it shall be the duty of the United States district attorney or the officer prosecuting for the Government in any such court of original criminal jurisdiction, on the certification of the facts to him by the military court, commission, court of inquiry, or board, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than \$500 or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That the fees of such witness and his mileage, at the rates allowed to witnesses attending the courts of the United States, shall be duly paid or tendered said witness, such amounts to be paid out of the appropriation for the compensation of witnesses.

Punishment for, in United States court.

*Provido.*  
Witness fees.

Compulsory self-incrimination prohibited.

"ART. 24. COMPULSORY SELF-INCRIMINATION PROHIBITED.—No witness before a military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before a military court, commission, court of inquiry, or board, shall be compelled to incriminate himself or to answer any questions which may tend to incriminate or degrade him.

"ART. 25. DEPOSITIONS—WHEN ADMISSIBLE.—A duly authenticated deposition taken upon reasonable notice to the opposite party may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or a military board, if such deposition be taken when the witness resides, is found, or is about to go beyond the State, Territory, or district in which the court, commission, or board is ordered to sit, or beyond the distance of one hundred miles from the place of trial or hearing, or when it appears to the satisfaction of the court, commission, board, or appointing authority that the witness, by reason of age, sickness, bodily infirmity, imprisonment, or other reasonable cause, is unable to appear and testify in person at the place of trial or hearing: *Provided*, That testimony by deposition may be adduced for the defense in capital cases.

Depositions.  
Admissibility.

*Proviso.*  
In capital cases.

"ART. 26. DEPOSITIONS—BEFORE WHOM TAKEN.—Depositions to be read in evidence before military courts, commissions, courts of inquiry, or military boards, or for other use in military administration, may be taken before and authenticated by any officer, military or civil, authorized by the laws of the United States or by the laws of the place where the deposition is taken to administer oaths.

Designated officials  
authorized to take.

"ART. 27. COURTS OF INQUIRY—RECORDS OF, WHEN ADMISSIBLE.—The record of the proceedings of a court of inquiry may be read in evidence before any court-martial or military commission in any case not capital nor extending to the dismissal of an officer, and may also be read in evidence in any proceeding before a court of inquiry or a military board: *Provided*, That such evidence may be adduced by the defense in capital cases or cases extending to the dismissal of an officer.

Courts of inquiry.  
Admission of records  
as evidence.

*Proviso.*  
By defense.

"ART. 28. RESIGNATION WITHOUT ACCEPTANCE DOES NOT RELEASE OFFICER.—Any officer who, having tendered his resignation and prior to due notice of the acceptance of the same, quits his post or proper duties without leave and with intent to absent himself permanently therefrom shall be deemed a deserter.

Resignation without  
acceptance not to re-  
lease officer.

"ART. 29. ENLISTMENT WITHOUT DISCHARGE.—Any soldier who, without having first received a regular discharge, again enlists in the Army, or in the militia when in the service of the United States, or in the Navy or Marine Corps of the United States, or in any foreign army, shall be deemed to have deserted the service of the United States; and, where the enlistment is in one of the forces of the United States mentioned above, to have fraudulently enlisted therein.

Enlistment without  
discharge, desertion.

"ART. 30. CLOSED SESSIONS.—Whenever a general or special court-martial shall sit in closed session, the judge advocate and the assistant judge advocate, if any, shall withdraw; and when their legal advice or their assistance in referring to the recorded evidence is required, it shall be obtained in open court, and in the presence of the accused and of his counsel if there be any.

Closed sessions of  
courts.

"ART. 31. ORDER OF VOTING.—Members of a general or special court-martial, in giving their votes, shall begin with the junior in rank.

Order of voting.

"ART. 32. CONTEMPTS.—A court-martial may punish at discretion, subject to the limitations contained in Article fourteen, any person who uses any menacing words, signs, or gestures in its presence, or who disturbs its proceedings by any riot or disorder.

Punishment of con-  
tempts.

"ART. 33. RECORDS—GENERAL COURTS-MARTIAL.—Each general court-martial shall keep a separate record of its proceedings in the trial of each case brought before it, and such record shall be authenticated by the signature of the president and the judge advocate; but in case the record can not be authenticated by the judge advocate, by reason of his death, disability, or absence, it shall be signed by the president and an assistant judge advocate, if any; and if there be no assistant judge advocate, or in case of his

Records of courts-  
martial.  
General.

death, disability, or absence, then by the president and one other member of the court.

Special and summary.

"ART. 34. RECORDS—SPECIAL AND SUMMARY COURTS-MARTIAL.—Each special court-martial and each summary court-martial shall keep a record of its proceedings, separate for each case, which record shall contain such matter and be authenticated in such manner as may be required by regulations which the president may from time to time prescribe.

Disposition of General.

"ART. 35. DISPOSITION OF RECORDS—GENERAL COURTS-MARTIAL.—The judge advocate of each general court-martial shall, with such expedition as circumstances may permit, forward to the appointing authority or to his successor in command the original record of the proceedings of such court in the trial of each case. All records of such proceedings shall, after having been finally acted upon, be transmitted to the Judge Advocate General of the Army.

Special and summary.

"ART. 36. DISPOSITION OF RECORDS—SPECIAL AND SUMMARY COURTS-MARTIAL.—After having been acted upon by the officer appointing the court, or by the officer commanding for the time being, the record of each trial by special court-martial and a report of each trial by summary court-martial shall be transmitted to such general headquarters as the President may designate in regulations, there to be filed in the office of the judge advocate. When no longer of use, records of special and summary courts-martial may be destroyed.

Irregularities. Errors not invalidating proceedings.

"ART. 37. IRREGULARITIES—EFFECT OF.—The proceedings of a court-martial shall not be held invalid, nor the findings or sentence disapproved, in any case on the ground of improper admission or rejection of evidence or for any error as to any matter of pleading or procedure unless in the opinion of the reviewing or confirming authority, after an examination of the entire proceedings, it shall appear that the error complained of has injuriously affected the substantial rights of an accused: *Provided*, That the act or omission upon which the accused has been tried constitutes an offense denounced and made punishable by one or more of these articles: *Provided further*, That the omission of the words 'hard labor' in any sentence of a court-martial adjudging imprisonment or confinement shall not be construed as depriving the authorities executing such sentence of imprisonment or confinement of the power to require hard labor as a part of the punishment in any case where it is authorized by the Executive order prescribing maximum punishments.

Nor injuring rights.

Provisos. Nature of offenses.

Omission of "hard labor."

President may prescribe rules.

"ART. 38. PRESIDENT MAY PRESCRIBE RULES.—The President may by regulations, which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals: *Provided*, That nothing contrary to or inconsistent with these articles shall be so prescribed: *Provided further*, That all rules made in pursuance of this article shall be laid before the Congress annually.

Provisos. Limitation. Presentation to Congress.

Limitations upon prosecutions.

#### "E. LIMITATIONS UPON PROSECUTIONS.

Time.

"ART. 39. AS TO TIME.—Except for desertion committed in time of war, or for mutiny or murder, no person subject to military law shall be liable to be tried or punished by a court-martial for any crime or offense committed more than two years before the arraignment of such person: *Provided*, That for desertion in time of peace or for any crime or offense punishable under articles ninety-three and ninety-four of this code the period of limitations upon trial and punishment by court-martial shall be three years: *Provided further*, That the period of any absence of the accused from the jurisdiction of the United States, and also any period during which by reason of some

Provisos. Desertion in time of peace, etc.

Absence from United States.

manifest impediment the accused shall not have been amenable to military justice, shall be excluded in computing the aforesaid periods of limitation: *And provided further*, That this article shall not have the effect to authorize the trial or punishment for any crime or offense barred by the provisions of existing law.

"ART. 40. AS TO NUMBER.—No person shall be tried a second time for the same offense.

"F. PUNISHMENTS.

"ART. 41. CERTAIN KINDS PROHIBITED.—Punishment by flogging, or by branding, marking, or tattooing on the body is prohibited.

"ART. 42. PLACES OF CONFINEMENT—WHEN LAWFUL.—Except for desertion in time of war, repeated desertion in time of peace, and mutiny, no person shall under the sentence of a court-martial be punished by confinement in a penitentiary unless an act or omission of which he is convicted is recognized as an offense of a civil nature by some statute of the United States, or at the common law as the same exists in the District of Columbia, or by way of commutation of a death sentence, and unless, also, the period of confinement authorized and adjudged by such court-martial is one year or more: *Provided*, That when a sentence of confinement is adjudged by a court-martial upon conviction of two or more acts or omissions any one of which is punishable under these articles by confinement in a penitentiary, the entire sentence of confinement may be executed in a penitentiary: *Provided further*, That penitentiary confinement hereby authorized may be served in any penitentiary directly or indirectly under the jurisdiction of the United States: *Provided further*, That persons sentenced to dishonorable discharge and to confinement not in a penitentiary, shall be confined in the United States Disciplinary Barracks or elsewhere as the Secretary of War or the reviewing authority may direct, but not in a penitentiary.

"ART. 43. DEATH SENTENCE—WHEN LAWFUL.—No person shall, by general court-martial, be convicted of an offense for which the death penalty is made mandatory by law, nor sentenced to suffer death, except by the concurrence of two-thirds of the members of said court-martial and for an offense in these articles expressly made punishable by death. All other convictions and sentences, whether by general or special court-martial, may be determined by a majority of the members present.

"ART. 44. COWARDICE; FRAUD—ACCESSORY PENALTY.—When an officer is dismissed from the service for cowardice or fraud, the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp and in the State from which the offender came or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

"ART. 45. MAXIMUM LIMITS.—Whenever the punishment for a crime or offense made punishable by these articles is left to the discretion of the court-martial, the punishment shall not, in time of peace, exceed such limit or limits as the President may from time to time prescribe.

"G. ACTION BY APPOINTING OR SUPERIOR AUTHORITY.

"ART. 46. APPROVAL AND EXECUTION OF SENTENCE.—No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer appointing the court or by the officer commanding for the time being.

"ART. 47. POWERS INCIDENT TO POWER TO APPROVE.—The power to approve the sentence of a court-martial shall be held to include:

"(a) The power to approve or disapprove a finding and to approve only so much of a finding of guilty of a particular offense as involves

Crimes barred.

Once for same of-  
fense.

Punishments.

Kinds prohibited.

Penitentiary sen-  
tences.  
Restricted to civil  
offenses, etc.

*Proviso.*  
More than one of-  
fense.

Place.

At Disciplinary Bar-  
racks, etc.

Death sentence.  
Restriction.

Cowardice or fraud.  
Publication of dis-  
missal.

Accessory penalty.

Maximum limits.

Action of authority.

Approval and execu-  
tion of sentence.

Incidental powers.

Findings.

Sentences.	a finding of guilty of a lesser included offense when, in the opinion of the authority having power to approve, the evidence of record requires a finding of only the lesser degree of guilt; and
Confirmation required. By the President.	“(b) The power to approve or disapprove the whole or any part of the sentence.
Specified cases.	“ART. 48. CONFIRMATION—WHEN REQUIRED.—In addition to the approval required by article forty-six, confirmation by the President is required in the following cases before the sentence of a court-martial is carried into execution, namely: “(a) Any sentence respecting a general officer: “(b) Any sentence extending to the dismissal of an officer, except that in time of war a sentence extending to the dismissal of an officer below the grade of brigadier general may be carried into execution upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division; “(c) Any sentence extending to the suspension or dismissal of a cadet; and
Exceptions in time of war.	“(d) Any sentence of death, except in the cases of persons convicted in time of war of murder, rape, mutiny, desertion, or as spies; and in such excepted cases a sentence of death may be carried into execution upon confirmation by the commanding general of the Army in the field or by the commanding general of the Territorial department or division.
Approval by confirming authority.	“When the authority competent to confirm the sentence has already acted as the approving authority no additional confirmation by him is necessary.
Confirming sentences. Incidental powers. Findings.	“ART. 49. POWERS INCIDENT TO POWER TO CONFIRM.—The power to confirm the sentence of a court-martial shall be held to include: “(a) The power to confirm or disapprove a finding, and to confirm so much only of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to confirm, the evidence of record requires a finding of only the lesser degree of guilt; and
Sentences.	“(b) The power to confirm or disapprove the whole or any part of the sentence.
Mitigation or remission of sentences.	“ART. 50. MITIGATION OR REMISSION OF SENTENCES.—The power to order the execution of the sentence adjudged by a court-martial shall be held to include, inter alia, the power to mitigate or remit the whole or any part of the sentence, but no sentence of dismissal of an officer and no sentence of death shall be mitigated or remitted by any authority inferior to the President.
Restriction.	“Any unexecuted portion of a sentence adjudged by a court-martial may be mitigated or remitted by the military authority competent to appoint, for the command, exclusive of penitentiaries and the United States Disciplinary Barracks, in which the person under sentence is held, a court of the kind that imposed the sentence, and the same power may be exercised by superior military authority; but no sentence extending to the dismissal of an officer or loss of files, no sentence of death, and no sentence approved or confirmed by the President shall be remitted or mitigated by any other authority.
Unexecuted portions.	“The power of remission and mitigation shall extend to all uncollected forfeitures adjudged by sentence of a court-martial.
Uncollected forfeitures.	“ART. 51. SUSPENSION OF SENTENCES OF DISMISSAL OR DEATH.—The authority competent to order the execution of a sentence of dismissal of an officer or a sentence of death may suspend such sentence until the pleasure of the President be known, and in case of such suspension a copy of the order of suspension, together with a copy of the record of trial, shall immediately be transmitted to the President.
Suspension of sentences.	
Dismissal or death.	

"ART. 52. SUSPENSION OF SENTENCE OF DISHONORABLE DISCHARGE.—The authority competent to order the execution of a sentence, including dishonorable discharge, may suspend the execution of the dishonorable discharge until the soldier's release from confinement; but the order of suspension may be vacated at any time and the execution of the dishonorable discharge directed by the officer having general court-martial jurisdiction over the command, exclusive of penitentiaries and the United States Disciplinary Barracks, in which the soldier is held or by the Secretary of War.

Dishonorable discharge.

"ART. 53. SUSPENSION OF SENTENCES OF FORFEITURE OR CONFINEMENT.—The authority competent to order the execution of a sentence adjudged by a court-martial may, if the sentence involve neither dismissal nor dishonorable discharge, suspend the execution of the sentence in so far as it relates to the forfeiture of pay or to confinement, or to both; and the person under sentence may be restored to duty during the suspension of confinement. At any time within one year after the date of the order of suspension such order may, for sufficient cause, be vacated and the execution of the sentence directed by the military authority competent to order the execution of like sentences in the command, exclusive of penitentiaries and the United States Disciplinary Barracks, to which the person under sentence belongs or in which he may be found; but if the order of suspension be not vacated within one year after the date thereof the suspended sentence shall be held to have been remitted.

Forfeiture or confinement.

### "III. PUNITIVE ARTICLES.

Punitive articles.

#### "A. ENLISTMENT; MUSTER; RETURNS.

"ART. 54. FRAUDULENT ENLISTMENT.—Any person who shall procure himself to be enlisted in the military service of the United States by means of willful misrepresentation or concealment as to his qualifications for enlistment, and shall receive pay or allowances under such enlistment, shall be punished as a court-martial may direct.

Fraudulent enlistment.

"ART. 55. OFFICER MAKING UNLAWFUL ENLISTMENT.—Any officer who knowingly enlists or musters into the military service any person whose enlistment or muster in is prohibited by law, regulations, or orders shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

Officer making unlawful enlistment.

"ART. 56. MUSTER ROLLS—FALSE MUSTER.—At every muster of a regiment, troop, battery, or company the commanding officer thereof shall give to the mustering officer certificates, signed by himself, stating how long absent officers have been absent and the reasons of their absence. And the commanding officer of every troop, battery, or company shall give like certificates, stating how long absent non-commissioned officers and private soldiers have been absent and the reasons of their absence. Such reasons and time of absence shall be inserted in the muster rolls opposite the names of the respective absent officers and soldiers, and the certificates, together with the muster rolls, shall be transmitted by the mustering officer to the Department of War as speedily as the distance of the place and muster will admit. Any officer who knowingly makes a false muster of man or animal, or who signs or directs or allows the signing of any muster roll knowing the same to contain a false muster or false statement as to the absence or pay of an officer or soldier, or who wrongfully takes money or other consideration on mustering in a regiment, company, or other organization, or on signing muster rolls, or who knowingly musters as an officer or soldier a person who is not such officer or soldier, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

Muster required.

Punishment for officer making false, etc.

Returns to be made.

“ART. 57. FALSE RETURNS—OMISSION TO RENDER RETURNS.—Every officer commanding a regiment, an independent troop, battery, or company, or a garrison, shall, in the beginning of every month, transmit through the proper channels, to the Department of War, an exact return of the same, specifying the names of the officers then absent from their posts, with the reasons for and the time of their absence. Every officer whose duty it is to render to the War Department or other superior authority a return of the state of the troops under his command, or of the arms, ammunitions, clothing, funds, or other property thereunto belonging, who knowingly makes a false return thereof shall be dismissed from the service and suffer such other punishment as a court-martial may direct. And any officer who, through neglect or design, omits to render such return shall be punished as a court-martial may direct.

Punishment for officer making false, or none

“B. DESERTION—ABSENCE WITHOUT LEAVE.

Desertion.

“ART. 58. DESERTION.—Any person subject to military law who deserts or attempts to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

Advising or aiding deserter.

“ART. 59. ADVISING OR AIDING ANOTHER TO DESERT.—Any person subject to military law who advises or persuades or knowingly assists another to desert the service of the United States shall, if the offense be committed in time of war, suffer death, or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

Knowingly entertaining deserter.

“ART. 60. ENTERTAINING A DESERTER.—Any officer who, after having discovered that a soldier in his command is a deserter from the military or naval service or from the Marine Corps, retains such deserter in his command without informing superior authority or the commander of the organization to which the deserter belongs, shall be punished as a court-martial may direct.

Absence without leave.

“ART. 61. ABSENCE WITHOUT LEAVE.—Any person subject to military law who fails to repair at the fixed time to the properly appointed place of duty, or goes from the same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave, shall be punished as a court-martial may direct.

“C. DISRESPECT—INSUBORDINATION—MUTINY.

Disrespect to President, etc.

“ART. 62. DISRESPECT TOWARD THE PRESIDENT, VICE PRESIDENT, CONGRESS, SECRETARY OF WAR, GOVERNORS, LEGISLATURES.—Any officer who uses contemptuous or disrespectful words against the President, Vice President, the Congress of the United States, the Secretary of War, or the governor or legislature of any State, Territory, or other possession of the United States in which he is quartered shall be dismissed from the service or suffer such other punishment as a court-martial may direct. Any other person subject to military law who so offends shall be punished as a court-martial may direct.

Toward superior officer.

“ART. 63. DISRESPECT TOWARD SUPERIOR OFFICER.—Any person subject to military law who behaves himself with disrespect toward his superior officer shall be punished as a court-martial may direct.

Assaulting, etc., superior officer.

“ART. 64. ASSAULTING OR WILLFULLY DISOBEYING SUPERIOR OFFICER.—Any person subject to military law who, on any pretense whatsoever, strikes his superior officer or draws or lifts up any weapon or offers any violence against him, being in the execution of his office, or willfully disobeys any lawful command of his superior officer, shall suffer death or such other punishment as a court-martial may direct.

**"ART. 65. INSUBORDINATE CONDUCT TOWARD NONCOMMISSIONED OFFICER.**—Any soldier who strikes or assaults, or who attempts or threatens to strike or assault, or willfully disobeys the lawful order of a noncommissioned officer while in the execution of his office, or uses threatening or insulting language, or behaves in an insubordinate or disrespectful manner toward a noncommissioned officer while in the execution of his office, shall be punished as a court-martial may direct.

Assaulting, etc., non-commissioned officer.

**"ART. 66. MUTINY OR SEDITION.**—Any person subject to military law who attempts to create or who begins, excites, causes, or joins in any mutiny or sedition in any company, party, post, camp, detachment, guard, or other command shall suffer death or such other punishment as a court-martial may direct.

Inciting mutiny or sedition.

**"ART. 67. FAILURE TO SUPPRESS MUTINY OR SEDITION.**—Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or knowing or having reason to believe that a mutiny or sedition is to take place, does not without delay give information thereof to his commanding officer shall suffer death or such other punishment as a court-martial may direct.

Failure to suppress mutiny or sedition.

**"ART. 68. QUARRELS; FRAYS; DISORDERS.**—All officers and non-commissioned officers have power to part and quell all quarrels, frays, and disorders among persons subject to military law and to order officers who take part in the same into arrest, and other persons subject to military law who take part in the same into arrest or confinement, as circumstances may require, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer or noncommissioned officer or draws a weapon upon or otherwise threatens or does violence to him shall be punished as a court-martial may direct.

Quarrels, frays, and disorders.

**"D. ARREST; CONFINEMENT.**

**"ART. 69. ARREST OR CONFINEMENT OF ACCUSED PERSONS.**—An officer charged with crime or with a serious offense under these articles shall be placed in arrest by the commanding officer, and in exceptional cases an officer so charged may be placed in confinement by the same authority. A soldier charged with crime or with a serious offense under these articles shall be placed in confinement, and when charged with a minor offense he may be placed in arrest. Any other person subject to military law charged with crime or with a serious offense under these articles shall be placed in confinement or in arrest, as circumstances may require; and when charged with a minor offense such person may be placed in arrest. Any person placed in arrest under the provisions of this article shall thereby be restricted to his barracks, quarters, or tent, unless such limits shall be enlarged by proper authority. Any officer who breaks his arrest or who escapes from confinement before he is set at liberty by proper authority shall be dismissed from the service or suffer such other punishment as a court-martial may direct; and any other person subject to military law who escapes from confinement or who breaks his arrest before he is set at liberty by proper authority shall be punished as a court-martial may direct.

Arrest and confinement of accused persons, officers.

Soldiers.

Other persons.

Restriction.

Punishment for breaking arrest.

**"ART. 70. INVESTIGATION OF AND ACTION UPON CHARGES.**—No person put in arrest shall be continued in confinement more than eight days, or until such time as a court-martial can be assembled. When any person is put in arrest for the purpose of trial, except at remote military posts or stations, the officer by whose order he is arrested shall see that a copy of the charges on which he is to be tried is served upon him within eight days after his arrest, and that he is brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he shall be brought to trial within thirty days after the expiration of said ten days. If

Investigation of and action on charges.

Right of accused.

a copy of the charges be not served, or the arrested person be not brought to trial, as herein required, the arrest shall cease. But persons released from arrest, under the provisions of this article, may be tried, whenever the exigencies of the service shall permit, within twelve months after such release from arrest: *Provided*, That in time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him.

*Proviso.*  
Courts-martial in  
time of peace.

Refusal to keep pris-  
oners.

“ART. 71. REFUSAL TO RECEIVE AND KEEP PRISONERS.—No provost marshal or commander of a guard shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States, provided the officer committing shall, at the time, deliver an account in writing, signed by himself, of the crime or offense charged against the prisoner. Any officer or soldier so refusing shall be punished as a court-martial may direct.

Report of prisoners  
received.

“ART. 72. REPORT OF PRISONERS RECEIVED.—Every commander of a guard to whose charge a prisoner is committed shall, within twenty-four hours after such confinement, or as soon as he is relieved from his guard, report in writing to the commanding officer the name of such prisoner, the offense charged against him, and the name of the officer committing him; and if he fails to make such report he shall be punished as a court-martial may direct.

Unauthorized releas-  
ing of prisoners.

“ART. 73. RELEASING PRISONER WITHOUT PROPER AUTHORITY.—Any person subject to military law who, without proper authority, releases any prisoner duly committed to his charge, or who through neglect or design suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

Delivery of offenders  
to civil authorities.

“ART. 74. DELIVERY OF OFFENDERS TO CIVIL AUTHORITIES.—When any person subject to military law, except one who is held by the military authorities to answer, or who is awaiting trial or result of trial, or who is undergoing sentence for a crime or offense punishable under these articles, is accused of a crime or offense committed within the geographical limits of the States of the Union and the District of Columbia, and punishable by the laws of the land, the commanding officer is required, except in time of war, upon application duly made, to use his utmost endeavor to deliver over such accused person to the civil authorities, or to aid the officers of justice in apprehending and securing him, in order that he may be brought to trial. Any commanding officer who upon such application refuses or willfully neglects, except in time of war, to deliver over such accused person to the civil authorities or to aid the officers of justice in apprehending and securing him shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

Punishment for re-  
fusal.

Completion of court-  
martial sentence after  
civil.

“When, under the provisions of this article, delivery is made to the civil authorities of an offender undergoing sentence of a court-martial, such delivery, if followed by conviction, shall be held to interrupt the execution of the sentence of the court-martial, and the offender shall be returned to military custody, after having answered to the civil authorities for his offense, for the completion of the said court-martial sentence.

War offenses.

“E. WAR OFFENSES.

Misbehavior before  
the enemy.

“ART. 75. MISBEHAVIOR BEFORE THE ENEMY.—Any officer or soldier who misbehaves himself before the enemy, runs away, or shamefully abandons or delivers up any fort, post, camp, guard, or other command which it is his duty to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, or by any means whatsoever occasions false alarms in camp, garrison, or quarters, shall suffer death or such other punishment as a court-martial may direct.

**“ART. 76. SUBORDINATES COMPELLING COMMANDER TO SURRENDER.**—If any commander of any garrison, fort, post, camp, guard, or other command is compelled, by the officers or soldiers under his command, to give it up to the enemy or to abandon it, the officers or soldiers so offending shall suffer death or such other punishment as a court-martial may direct.

Subordinates compelling commander to surrender.

**“ART. 77. IMPROPER USE OF COUNTERSIGN.**—Any person subject to military law who makes known the parole or countersign to any person not entitled to receive it according to the rules and discipline of war, or gives a parole or countersign different from that which he received, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct.

Improper use of countersign.

**“ART. 78. FORCING A SAFEGUARD.**—Any person subject to military law who, in time of war, forces a safeguard shall suffer death or such other punishment as a court-martial may direct.

Forcing a safeguard.

**“ART. 79. CAPTURED PROPERTY TO BE SECURED FOR PUBLIC SERVICE.**—All public property taken from the enemy is the property of the United States and shall be secured for the service of the United States, and any person subject to military law who neglects to secure such property or is guilty of wrongful appropriation thereof shall be punished as a court-martial may direct.

Not securing captured property.

**“ART. 80. DEALING IN CAPTURED OR ABANDONED PROPERTY.**—Any person subject to military law who buys, sells, trades, or in any way deals in or disposes of captured or abandoned property, whereby he shall receive or expect any profit, benefit, or advantage to himself or to any other person directly or indirectly connected with himself, or who fails whenever such property comes into his possession or custody or within his control to give notice thereof to the proper authority and to turn over such property to the proper authority without delay, shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial, military commission, or other military tribunal may adjudge, or by any or all of said penalties.

Dealing in captured or abandoned property.

**“ART. 81. RELIEVING, CORRESPONDING WITH, OR AIDING THE ENEMY.**—Whosoever relieves the enemy with arms, ammunition, supplies, money, or other thing, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death, or such other punishment as a court-martial or military commission may direct.

Aiding, etc., enemy.

**“ART. 82. SPIES.**—Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death.

Spies.

#### “F. MISCELLANEOUS CRIMES AND OFFENSES.

**“ART. 83. MILITARY PROPERTY—WILLFUL OR NEGLIGENT LOSS, DAMAGE, OR WRONGFUL DISPOSITION OF.**—Any person subject to military law who willfully, or through neglect, suffers to be lost, spoiled, damaged, or wrongfully disposed of, any military property belonging to the United States shall make good the loss or damage and suffer such punishment as a court-martial may direct.

Miscellaneous crimes and offenses.

Military property. Willful loss, damage, etc.

**“ART. 84. WASTE OR UNLAWFUL DISPOSITION OF MILITARY PROPERTY ISSUED TO SOLDIERS.**—Any soldier who sells or wrongfully disposes of or willfully or through neglect injures or loses any horse, arms, ammunition, accouterments, equipment, clothing, or other property issued for use in the military service, shall be punished as a court-martial may direct.

Waste or unlawful disposition by soldier.

**“ART. 85. DRUNK ON DUTY.**—Any officer who is found drunk on duty shall, if the offense be committed in time of war, be dismissed

Drunk on duty.

from the service and suffer such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall be punished as a court-martial may direct. Any person subject to military law, except an officer, who is found drunk on duty shall be punished as a court-martial may direct.

Misbehavior of sentinel.

"ART. 86. MISBEHAVIOR OF SENTINEL.—Any sentinel who is found drunk or sleeping upon his post, or who leaves it before he is regularly relieved, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall suffer any punishment, except death, that a court-martial may direct.

Personal interest in sale of provisions.

"ART. 87. PERSONAL INTEREST IN SALE OF PROVISIONS.—Any officer commanding in any garrison, fort, barracks, camp, or other place where troops of the United States may be serving who, for his private advantage, lays any duty or imposition upon or is interested in the sale of any victuals or other necessaries of life brought into such garrison, fort, barracks, camp, or other place for the use of the troops, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

Intimidating persons bringing provisions.

"ART. 88. INTIMIDATION OF PERSONS BRINGING PROVISIONS.—Any person subject to military law who abuses, intimidates, does violence to, or wrongfully interferes with any person bringing provisions, supplies, or other necessaries to the camp, garrison, or quarters of the forces of the United States shall suffer such punishment as a court-martial may direct.

Maintenance of good order and redress of wrongs required.

"ART. 89. GOOD ORDER TO BE MAINTAINED AND WRONGS REDRESSED.—All persons subject to military law are to behave themselves orderly in quarters, garrison, camp, and on the march; and any person subject to military law who commits any waste or spoil, or willfully destroys any property whatsoever (unless by order of his commanding officer), or commits any kind of depredation or riot shall be punished as a court-martial may direct. Any commanding officer who, upon complaint made to him, refuses or omits to see reparation made to the party injured, in so far as the offender's pay shall go toward such reparation, as provided for in article one hundred and five, shall be dismissed from the service, or otherwise punished, as a court-martial may direct.

Provoking speeches or gestures.

"ART. 90. PROVOKING SPEECHES OR GESTURES.—No person subject to military law shall use any reproachful or provoking speeches or gestures to another; and any person subject to military law who offends against the provisions of this article shall be punished as a court-martial may direct.

Dueling.

"ART. 91. DUELLING.—Any person subject to military law who fights or promotes or is concerned in or connives at fighting a duel, or who having knowledge of a challenge sent or about to be sent fails to report the fact promptly to the proper authority shall, if an officer, be dismissed from the service or suffer such other punishment as a court-martial may direct; and if any other person subject to military law, shall suffer such punishment as a court-martial may direct.

Murder or rape.

"ART. 92. MURDER—RAPE.—Any person subject to military law who commits murder or rape shall suffer death or imprisonment for life, as a court-martial may be direct; but no person shall be tried by court-martial for murder or rape committed within the geographical limits of the States of the Union and the District of Columbia in time of peace.

Designated crimes.

"ART. 93. VARIOUS CRIMES.—Any person subject to military law who commits manslaughter, mayhem, arson, burglary, robbery, larceny, embezzlement, perjury, assault with intent to commit any felony, or assault with intent to do bodily harm, shall be punished as a court-martial may direct.

"ART. 94. FRAUDS AGAINST THE GOVERNMENT.—Any person subject to military law who makes or causes to be made any claim against the United States, or any officer thereof, knowing such claim to be false or fraudulent; or

Frauds against the Government.  
False claims.

"Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States, or any officer thereof, knowing such claim to be false or fraudulent; or

Bringing false claims for approval.

"Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

Obtaining allowance of false claim.

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures, or advises the making or use of, any writing or other paper, knowing the same to contain any false or fraudulent statements; or

Use of false papers, etc.

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes, or procures, or advises the making of, any oath to any fact or to any writing or other paper knowing such oath to be false; or

Use of false oaths, etc.

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures, or advises the forging or counterfeiting of any signature upon any writing or other paper, or uses, or procures, or advises the use of any such signature, knowing the same to be forged or counterfeited; or

Forging signatures, etc.

"Who, having charge, possession, custody, or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

Delivery of less amount than receipt.

"Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States furnished or intended for the military service thereof, makes or delivers to any person such writing, without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States; or

Certifying false receipts.

"Who steals, embezzles, knowingly and willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money, or other property of the United States furnished or intended for the military service thereof; or

Stealing, etc., military property.

"Who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipment, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same;

Purchasing, etc., military property wrongfully sold, etc.

"Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge, or by any or all of said penalties. And if any person, being guilty of any of the offenses aforesaid while in the military service of the United States, receives his discharge or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not received such discharge nor been dismissed.

Punishment.

Conduct unbecoming an officer and gentleman.

**"ART. 95. CONDUCT UNBECOMING AN OFFICER AND GENTLEMAN.—**Any officer or cadet who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

Other disorders, etc., cognizable by courts-martial.

**"ART. 96. GENERAL ARTICLE.—**Though not mentioned in these articles, all disorders and neglects to the prejudice of good order and military discipline, all conduct of a nature to bring discredit upon the military service, and all crimes or offenses not capital, of which persons subject to military law may be guilty, shall be taken cognizance of by a general or special or summary court-martial, according to the nature and degree of the offense, and punished at the discretion of such court.

Courts of inquiry.

#### "IV. COURTS OF INQUIRY.

Authority for ordering.

**"ART. 97. WHEN AND BY WHOM ORDERED.—**A court of inquiry to examine into the nature of any transaction of or accusation or imputation against any officer or soldier may be ordered by the President or by any commanding officer; but a court of inquiry shall not be ordered by any commanding officer except upon the request of the officer or soldier whose conduct is to be inquired into.

Request to be made.

Composition.

**"ART. 98. COMPOSITION.—**A court of inquiry shall consist of three or more officers. For each court of inquiry the authority appointing the court shall appoint a recorder.

Challenges.

**"ART. 99. CHALLENGES.—**Members of a court of inquiry may be challenged by the party whose conduct is to be inquired into, but only for cause stated to the court. The court shall determine the relevancy and validity of any challenge, and shall not receive a challenge to more than one member at a time. The party whose conduct is being inquired into shall have the right to be represented before the court by counsel of his own selection, if such counsel be reasonably available.

Oaths.

**"ART. 100. OATH OF MEMBERS AND RECORDER.—**The recorder of a court of inquiry shall administer to the members the following oath: 'You, A. B., do swear (or affirm) that you will well and truly examine and inquire, according to the evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward. So help you, God.' After which the president of the court shall administer to the recorder the following oath: 'You, A. B., do swear (or affirm) that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing. So help you, God.'

Affirmation.

"In case of affirmation the closing sentence of adjuration will be omitted.

Powers, procedure, etc.

**"ART. 101. POWERS; PROCEDURE.—**A court of inquiry and the recorder thereof shall have the same power to summon and examine witnesses as is given to courts-martial and the judge advocate thereof. Such witnesses shall take the same oath or affirmation that is taken by witnesses before courts-martial. A reporter or an interpreter for a court of inquiry shall, before entering upon his duties, take the oath or affirmation required of a reporter or an interpreter for a court-martial. The party whose conduct is being inquired into or his counsel, if any, shall be permitted to examine and cross-examine witnesses so as fully to investigate the circumstances in question.

Opinion on merits restricted.

**"ART. 102. OPINION ON MERITS OF CASE.—**A court of inquiry shall not give an opinion on the merits of the case inquired into unless specially ordered to do so.

Records to be kept. Authentication.

**"ART. 103. RECORD OF PROCEEDINGS—HOW AUTHENTICATED.—**Each court of inquiry shall keep a record of its proceedings, which shall be authenticated by the signature of the president and the recorder thereof, and be forwarded to the convening authority. In case the record can not be authenticated by the recorder, by reason of his death, disability, or absence, it shall be signed by the president and by one other member of the court.

## "V. MISCELLANEOUS PROVISIONS.

Miscellaneous.

"ART. 104. DISCIPLINARY POWERS OF COMMANDING OFFICERS.—Under such regulations as the President may prescribe, and which he may from time to time revoke, alter, or add to, the commanding officer of any detachment, company, or higher command may, for minor offenses not denied by the accused, impose disciplinary punishments upon persons of his command without the intervention of a court-martial, unless the accused demands trial by court-martial.

Disciplinary powers of commanding officers.

"The disciplinary punishments authorized by this article may include admonition, reprimand, withholding of privileges, extra fatigue, and restriction to certain specified limits, but shall not include forfeiture of pay or confinement under guard. A person punished under authority of this article, who deems his punishment unjust or disproportionate to the offense may, through the proper channel, appeal to the next superior authority, but may in the meantime be required to undergo the punishment adjudged. The commanding officer who imposes the punishment, his successor in command, and superior authority shall have power to mitigate or remit any unexecuted portion of the punishment. The imposition and enforcement of disciplinary punishment under authority of this article for any act or omission shall not be a bar to trial by court-martial for a crime or offense growing out of the same act or omission; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty.

Disciplinary punishments.

"ART. 105. INJURIES TO PERSON OR PROPERTY—REDRRESS OF.—Whenever complaint is made to any commanding officer that damage has been done to the property of any person or that his property has been wrongfully taken by persons subject to military law, such complaint shall be investigated by a board consisting of any number of officers from one to three, which board shall be convened by the commanding officer and shall have, for the purpose of such investigation, power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by such board shall be subject to the approval of the commanding officer, and in the amount approved by him shall be stopped against the pay of the offenders. And the order of such commanding officer directing stoppages herein authorized shall be conclusive on any disbursing officer for the payment by him to the injured parties of the stoppages so ordered.

Redress of injuries to person or property.

"Where the offenders can not be ascertained, but the organization or detachment to which they belong is known, stoppages to the amount of damages inflicted may be made and assessed in such proportion as may be deemed just upon the individual members thereof who are shown to have been present with such organization or detachment at the time the damages complained of were inflicted as determined by the approved findings of the board.

Assessment of damages on offenders.

On organization or detachment.

"ART. 106. ARREST OF DESERTERS BY CIVIL OFFICIALS.—It shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, District, or possession of the United States, to arrest offenders, summarily to arrest a deserter from the military service of the United States and deliver him into the custody of the military authorities of the United States.

Arrest of deserters by civil authorities.

"ART. 107. SOLDIERS TO MAKE GOOD TIME LOST.—Every soldier who in an existing or subsequent enlistment deserts the service of the United States or without proper authority absents himself from his organization, station, or duty for more than one day, or who is confined for more than one day under sentence, or while awaiting trial and

Soldiers to make good time lost.

disposition of his case, if the trial results in conviction, or through the intemperate use of drugs or alcoholic liquor, or through disease or injury the result of his own misconduct, renders himself unable for more than one day to perform duty, shall be liable to serve, after his return to a full-duty status, for such period as shall, with the time he may have served prior to such desertion, unauthorized absence, confinement, or inability to perform duty, amount to the full term of that part of his enlistment period which he is required to serve with his organization before being furloughed to the Army reserve.

Discharges.

"ART. 108. SOLDIERS—SEPARATION FROM THE SERVICE.—No enlisted man, lawfully inducted into the military service of the United States, shall be discharged from said service without a certificate of discharge, signed by a field officer of the regiment or other organization to which the enlisted man belongs or by the commanding officer when no such field officer is present; and no enlisted man shall be discharged from said service before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

Oath of enlistment.

"ART. 109. OATH OF ENLISTMENT.—At the time of his enlistment every soldier shall take the following oath or affirmation: 'I, \_\_\_\_\_, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to the Rules and Articles of War.' This oath or affirmation may be taken before any officer.

Articles to be read and explained.

"ART. 110. CERTAIN ARTICLES TO BE READ AND EXPLAINED.—Articles one, two, and twenty-nine, fifty-four to ninety-six, inclusive, and one hundred and four to one hundred and nine, inclusive, shall be read and explained to every soldier at the time of his enlistment or muster in, or within six days thereafter, and shall be read and explained once every six months to the soldiers of every garrison, regiment, or company in the service of the United States.

Copy of record of trial.

"ART. 111. COPY OF RECORD OF TRIAL.—Every person tried by a general court-martial shall, on demand therefor, made by himself or by any person in his behalf, be entitled to a copy of the record of the trial.

Effects of deceased persons.  
Disposal of, by commanding officer

"ART. 112. EFFECTS OF DECEASED PERSONS—DISPOSITION OF.—In case of the death of any person subject to military law, the commanding officer of the place or command will permit the legal representative or widow of the deceased, if present, to take possession of all his effects then in camp or quarters, and if no legal representative or widow be present, the commanding officer shall direct a summary court to secure all such effects; and said summary court shall have authority to convert such effects into cash, by public or private sale, not earlier than thirty days after the death of the deceased, and to collect and receive any debts due decedent's estate by local debtors; and as soon as practicable after converting such effects into cash said summary court shall deposit with the proper officer, to be designated in regulations, any cash belonging to decedent's estate, and shall transmit a receipt for such deposit, accompanied by any will or other papers of value belonging to the deceased, an inventory of the effects secured by said summary court, and a full account of his transactions to the War Department for transmission to the Auditor for the War Department for action as authorized by law in the settlement of the accounts of deceased officers or enlisted men of the Army; but if in the meantime the legal representative, or widow, shall present himself or herself to take possession of decedent's estate the said summary court shall turn over to him or her all effects not sold and cash belonging to said estate, together with an inventory and account, and make to the War Department a full report of his transactions.

"The provisions of this article shall be applicable to inmates of the United States Soldiers' Home who die in any United States military hospital outside of the District of Columbia where sent from the home for treatment.

Soldiers' Home inmate dying at military hospital outside District of Columbia.

"ART. 113. INQUESTS.—When at any post, fort, camp, or other place garrisoned by the military forces of the United States and under the exclusive jurisdiction of the United States, any person shall have been found dead under circumstances which appear to require investigation, the commanding officer will designate and direct a summary court-martial to investigate the circumstances attending the death; and, for this purpose, such summary court-martial shall have power to summon witnesses and examine them upon oath or affirmation. He shall promptly transmit to the post or other commander a report of his investigation and of his findings as to the cause of the death.

Inquests.

"ART. 114. AUTHORITY TO ADMINISTER OATHS.—Any judge advocate or acting judge advocate, the president of a general or special court-martial, any summary court-martial, the judge advocate or any assistant judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and in foreign places where the Army may be serving shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by persons subject to military law.

Officers authorized to administer oaths.

"ART. 115. APPOINTMENT OF REPORTERS AND INTERPRETERS.—Under such regulations as the Secretary of War may from time to time prescribe, the president of a court-martial or military commission, or a court of inquiry shall have power to appoint a reporter, who shall record the proceedings of and testimony taken before such court or commission and may set down the same, in the first instance, in shorthand. Under like regulations the president of a court-martial or military commission, or court of inquiry, or a summary court, may appoint an interpreter, who shall interpret for the court or commission.

Reporters.

Interpreters.

"ART. 116. POWERS OF ASSISTANT JUDGE ADVOCATES.—An assistant judge advocate of a general court-martial shall be competent to perform any duty devolved by law, regulation, or the custom of the service upon the judge advocate of the court.

Assistant judge advocates.

"ART. 117. REMOVAL OF CIVIL SUITS.—When any civil suit or criminal prosecution is commenced in any court of a State against any officer, soldier, or other person in the military service of the United States on account of any act done under color of his office or status, or in respect to which he claims any right, title, or authority under any law of the United States respecting the military forces thereof, or under the law of war, such suit or prosecution may at any time before the trial or final hearing thereof be removed for trial into the district court of the United States in the district where the same is pending in the manner prescribed in section thirty-three of the Act entitled 'An Act to codify, revise, and amend the laws relating to the judiciary,' approved March third, nineteen hundred and eleven, and the cause shall thereupon be entered on the docket of said district court and shall proceed therein as if the cause had been originally commenced in said district court and the same proceedings had been taken in such suit or prosecution in said district court as shall have been had therein in said State court prior to its removal, and said district court shall have full power to hear and determine said cause.

Removal of civil suits from State to district courts.

Vol. 36, p. 1097.

"ART. 118. OFFICERS—SEPARATION FROM SERVICE.—No officer shall be discharged or dismissed from the service except by order of

Discharge or dismissal of officers.

Dropped for absence, imprisonment, etc. Vol. 36, p. 894.

the President or by sentence of a general court-martial; and in time of peace no officer shall be dismissed except in pursuance of the sentence of a court-martial or in mitigation thereof; but the President may at any time drop from the rolls of the Army any officer who has been absent from duty three months without leave or who has been absent in confinement in a prison or penitentiary for three months after final conviction by a court of competent jurisdiction.

Rank and precedence among Regulars, Militia, and Volunteers. Assignment of command by President.

"ART. 119. RANK AND PRECEDENCE AMONG REGULARS, MILITIA, AND VOLUNTEERS.—That in time of war or public danger, when two or more officers of the same grade are on duty in the same field, department, or command, or of organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade. In the absence of such assignment by the President, officers of the same grade shall rank and have precedence in the following order, without regard to date of rank or commission as between officers of different classes, namely: First, officers of the Regular Army and officers of the Marine Corps detached for service with the Army by order of the President; second, officers of forces drafted or called into service of the United States; and, third, officers of the volunteer forces: *Provided*, That officers of the Regular Army holding commissions in forces drafted or called into the service of the United States or in the volunteer forces shall rank and have precedence under said commissions as if they were commissions in the Regular Army; the rank of officers of the Regular Army under commissions in the National Guard as such shall not, for the purposes of this article, be held to antedate the acceptance of such officers into the service of the United States under said commissions.

Order otherwise.

*Proviso.* Precedence of Army officer holding other commission.

Command when different corps or commands happen to join.

"ART. 120. COMMAND WHEN DIFFERENT CORPS OR COMMANDS HAPPEN TO JOIN.—When different corps or commands of the military forces of the United States happen to join or do duty together the officer highest in rank of the line of the Regular Army, Marine Corps, forces drafted or called into the service of the United States or Volunteers, there on duty, shall, subject to the provisions of the last preceding article, command the whole and give orders for what is needful in the service, unless otherwise directed by the President.

Complaints to general officer.

"ART. 121. COMPLAINTS OF WRONGS.—Any officer or soldier who believes himself wronged by his commanding officer, and, upon due application to such commander, is refused redress, may complain to the general commanding in the locality where the officer against whom the complaint is made is stationed. The general shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the Department of War a true statement of such complaint, with the proceedings had thereon."

Articles of War in effect March 4, 1917.

SEC. 4. The provisions of section three of this Act shall take effect and be in force on and after the first day of March, nineteen hundred and seventeen: *Provided*, That articles four, thirteen, fourteen, fifteen, twenty-nine, forty-seven, forty-nine, and ninety-two shall take effect immediately upon the approval of this Act.

*Proviso.* Specified articles in force at once.

Prior offenses, etc., subject to previous law.

SEC. 5. That all offenses committed and all penalties, forfeitures, fines, or liabilities incurred prior to the taking effect of this Act, under any law embraced in or modified, changed, or repealed by this Act, may be prosecuted, punished, and enforced in the same manner and with the same effect as if this Act had not been passed.

Inconsistent laws repealed.

SEC. 6. All laws and parts of laws in so far as they are inconsistent with this Act are hereby repealed

Approved, August 29, 1916.