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LAWS OF THE UNITED STATES.

(BY AUTHORITY.)

AN ACT

To raise an additional Military Force.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be immediately raised, ten regiments of infantry, two regiments of artillery, and one regiment of light dragoons, to be enlisted for the term of five years, unless sooner discharged.

Sec. 2. *And be it further enacted*, That a regiment of infantry shall consist of eighteen captains, eighteen first lieutenants, eighteen second lieutenants, eighteen ensigns, seventy two sergeants, seventy two corporals, thirty six musicians, and eighteen hundred privates, which shall form two battalions, each of nine companies. A regiment of artillery shall consist of twenty captains, twenty first lieutenants, twenty second lieutenants, forty cadets, eighty sergeants, eighty corporals, one hundred and sixty artificers, forty musicians, and fourteen hundred and forty privates, which shall form two battalions, each of ten companies. The regiment of cavalry shall consist of twelve captains, twelve first lieutenants, twelve second lieutenants, twelve cornets, twenty four cadets, forty eight sergeants, forty eight corporals, twelve saddlers, twelve farriers, twelve trumpeters, and nine hundred and sixty privates, which shall form two battalions, each of six companies.

Sec. 3. *And be it further enacted*, That to each regiment raised under this act, whether of infantry, artillery, or light dragoons, there shall be appointed one colonel, two lieutenant colonels, two majors, two adjutants, one quarter master, one pay master, one surgeon, two surgeons' mates, two sergeant majors, two quarter master sergeants, and two senior musicians.

Sec. 4. *And be it further enacted*, That there shall be appointed two major generals, each of whom shall be allowed two aids, to be taken from the commissioned officers of the line, and five brigadier generals each of whom shall be allowed a brigade major and an aid, to be taken from the captains and subalterns of the line; and there shall also be appointed one adjutant general, and one inspector general; each with the rank, pay and emoluments of a brigadier general; the said adjutant general shall be allowed one or more assistants, not exceeding three, to be taken from the line of the army, with the same pay and emoluments as by this act are allowed to a lieutenant colonel; the said inspector general shall be allowed two assistant inspectors to be taken from the line of the army, each of whom shall receive, while acting in said capacity, the same pay and emoluments as by this act are allowed to a lieutenant colonel; there shall also be appointed such number of hospital surgeons and mates as the service may require, with one steward to such hospital.

Sec. 5. *And be it further enacted*, That when an officer is detached to serve as brigade major or aid, or as assistant to the adjutant general or inspector general, on the appointment of a general officer, or as adjutant or quarter master on the appointment of a colonel, he shall not thereby lose his rank.

Sec. 6. *And be it further enacted*, That the major generals respectively shall be entitled to two hundred dollars, monthly pay, with twenty dollars allowance for for forage, monthly, and fifteen rations per day. Their aids de camp shall each be entitled to twenty four dollars monthly, in addition to their pay in the line, and ten dollars monthly for forage, and four rations. The brigadier generals respectively shall be entitled to one hundred & four dollars monthly pay, twelve rations per day and fifteen dollars per month for forage when not found by the public.

Sec. 7. *And be it further enacted*, That all other officers, musicians, artificers and privates, authorised by this act, shall receive the like pay, forage, rations, clothing and other emoluments, as the officers of the same grade and corps, cadets, non commissioned officers, musicians, artificers and privates, of the present military establishment.

Sec. 8. *And be it further enacted*, That each ration shall consist of one pound & a quarter of beef, or three quarters of a pound of pork, eighteen ounces of bread or flour, one gill of rum, whiskey or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations.

Sec. 9. *And be it further enacted*, That every non commissioned officer, musician and private of the artillery & infantry, shall receive annually the following articles of uniform clothing, to wit: one hat, one coat, one vest, two pair of woollen and two pair of linen overalls, one coarse linen frock and trowsers for fatigue clothing, four pair of shoes, four shirts, two pair of socks, two pair of short stockings, one blanket, one stock and clasp, and one pair of half gaiters: And the Secretary of War is hereby authorised to cause to be furnished to the pay masters of the respective districts such surplus of clothing as he may deem expedient, which clothing shall under his direction be furnished to the soldiers when necessary at the contract prices, and accounted for by them out of their arrears of monthly pay.

Sec. 10. *And be it further enacted*, That the officers, non commissioned officers musicians, & privates of the said corps, shall be governed by the rules & articles of war which have been established by the United States in Congress assembled, or by such rules and articles as may be hereafter, by law, established.

Sec. 11. *And be it further enacted*, That the commissioned officers who shall be employed in the recruiting service, shall be entitled to receive for every effective able bodied man, who shall be duly enlisted by him for the term of five years and mustered, of at least five feet six inches high, (and between the ages of eighteen and forty, five years,) the sum of two dollars: *Provided nevertheless*, That this regulation so far as respects the age of the recruit, shall not extend to musicians or to those soldiers who may re-enlist into the service:—*And provided also*, That no person under the age of twenty one years shall be enlisted by any officer, or held in the service of the United States, without the consent in writing of his parent, guardian or master first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

Sec. 12. *And be it further enacted*, That there shall be allowed and paid to each effective able bodied man, recruited as aforesaid, to serve for the term of five years, a bounty of sixteen dollars; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined some military corps of the United States for service. And whenever any non commissioned officer or soldier, shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion or regiment, a certificate, that he had faithfully performed his duty whilst in service, he shall moreover be allowed and paid in addition to the said bounty three months' pay, and one hundred and sixty acres of land, and the heirs and representatives of those non-commissioned officers or soldiers who may be killed in action, or die in the service of the United States, shall likewise be paid and allowed the said additional bounty of three months pay and one hundred and sixty acres of land to be designated, surveyed and laid off at the public expense in such manner and upon such terms and conditions as may be provided by law.

Sec. 13. *And be it further enacted*, That the said corps shall be paid in such manner, that the arrears shall, at no time, exceed two months, unless the circumstances of the case shall render it unavoidable.

Sec. 14. *And be it further enacted*, That if any officer, non commissioned officer, musician or private, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension and under such regulations as are or may be directed by law: *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed for the highest rate of disability half the monthly pay of such officer, at the time of his being disabled or wounded; and that no officer shall receive more than the half pay of a lieutenant colonel, and that the rate of compensation to non commissioned officers, musicians & privates, shall not exceed five dollars per month: *And provided also*, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest diability.

Sec. 15. *And be it further enacted*, That if any commissioned officer in the military establishment of the United States, shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, & leave a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to and receive half the monthly pay to which the deceased was entitled at the time of his death, for & during the term of five years: But in case of the death or intermarriage of such widow before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided always*, That such half pay shall cease on the decease of such child or children.

Sec. 16. *And be it further enacted*, That if any non commissioned officer, musician or private, shall desert the service of the United States, he shall, in addition to the penalties mentioned in the rules & articles of war, be liable to serve for and during such a period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall and may be tried by a court martial, and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

Sec. 17. *And be it further enacted*, That every person not subject to the rules and articles of war, who shall procure or entice a soldier in the service of the United States, to desert; or who shall purchase from any soldier, his arms, uniform clothing, or any part thereof; and every captain or commanding officer of any ship or vessel, who shall enter on board such ship or vessel as one of his crew knowing him to have deserted, or otherwise carry away, any such soldier, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined at the discretion of any court having cognizance of the same, in any sum not exceeding three hundred dollars, and be imprisoned any term not exceeding one year.

Sec. 18. *And be it further enacted*, That every officer, non commissioned officer, musician & private, shall take and subscribe the following oath or affirmation, to wit: "I *A B*. do solemnly swear or affirm, (as the case may be,) that I will bear true faith and allegiance to the United States of America, and that I will serve them honestly and faithfully against their enemies or opposers whomsoever; and that I will observe and 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."

Sec. 19 *And be it further enacted*, That there shall be appointed to each division a judge advocate who shall be entitled to the same pay and emoluments as a major in the infantry, or if taken from the line of the army, shall be entitled to thirty dollars per month in addition to his pay, and the same allowance for forage as is allowed by law for a major of infantry.

Sec. 20. *And be it further enacted*, That where any commissioned officer shall be obliged to incur any extra expense in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense actually incurred, not exceeding one dollar and twenty five cents per day to officers who are not entitled to forage, & not exceeding one dollar per day to such as shall be entitled to forage.

Sec. 21. *And be it further enacted*, That no non commissioned officer, musician or private, during the term of his service, shall be arrested on mesne process, or taken or charged in execution for any debt or debts contracted before enlistment, which were severally under twenty dollars at the time of contracting the same, nor for any debt whatever, contracted after enlistment.

Sec. 22. *And be it further enacted*, That whenever any officer or soldier shall be discharged from the service, except by way of punishment for any offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

Sec. 23. *And be it further enacted*, That the subsistence of the officers of the army, when not received in kind, shall be estimated at twenty cents per ration.

Sec. 24. *And be it further enacted* That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

Sec. 25. *And be it further enacted*, That no general, field or staff officer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

H. CLAY, *Speaker of the House of Representatives.*
GEO CLINTON, *Vice President of the United States, and President of the Senate.*

January 11, 1812.
Approved—JAMES MADISON.

AN ACT

To authorise the laying out and opening a public road from the line established by the treaty of Grenville, to the North Bend in the state of Ohio.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby authorised to cause to be opened a road from the point where the United States' road from Vincennes, to the former Indian boundary line, established by the treaty of Grenville, strikes the said line, to the North Bend in the state of Ohio.

Sec. 2 *And be it further enacted*, That for the purpose of defraying the expences of opening the said road, there is hereby appropriated a sum of money not exceeding eight hundred dollars, payable out of any monies in the treasury not otherwise appropriated.

H. CLAY, *Speaker of the House of Representatives.*
GEO CLINTON, *Vice President of the United States and President of the Senate.*

January 8, 1812.
Approved, JAMES MADISON.

AN ACT

For the relief of John Burnham.

BE *it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be paid to John Burnham out of any monies in the treasury not otherwise appropriated, the sum of one hundred and twenty six dollars and seventy two cents, and the interest on the same since the thirtieth day of May, one thousand seven hundred and ninety six, which in addition to the sum allowed him by the act of that date, is to be considered as a reimbursement of the money by him advanced for his ransom from captivity in Algiers.

H CLAY, *Speaker of the House of Representatives.*
GEO. CLINTON, *Vice President of the United States and President of the Senate*

January 10, 1812.
Approved, JAMES MADISON.

REPORT.

The committee to whom was referred the message of the President of the United States transmitting two letters from Governor Harrison of the Indiana territory, reporting the particulars and the issue of the expedition under his command against the Hostile Indians on the Wabash, and to whom also was referred the memorial of the General Assembly of the Indiana territory, and the memorial of the officers and soldiers of the militia of Knox county, in the Indiana territory, who served in the late campaign under the command of Governor Harrison.

REPORT.

That they have had the several matters to them referred under their consideration, and have given to them that attention which their importance seems to merit.

It appears to the committee, that the troops under the command of governor Harrison may very properly be termed raw troops: very few of the officers, and almost none of the men, had ever been in actual service; and a considerable portion of them had been only a few weeks withdrawn from the pursuits of civil life. The attack made on this quickly assembled army by the hostile Indians on the Wabash, when viewed either as it relates to the nature of the enemy, the time, or the violence with which the attack was made, cannot but be considered of such a character as would have severely tested the collected firmness of the most able and experienced troops. This attack, violent and unexpected as it seems to have been, was repelled by the troops under the command of Governor Harrison, with a gallantry and good conduct worthy of future imitation. The whole transaction, in the opinion of the committee presents to the American people new proof, that the dauntless spirit of our ancestors, by whom the war of the revolution was so ably and successfully maintained, has not been diminished ed by more than thirty years of almost uninterrupted peace, but that it has been handed down unimpaired to their posterity.

In estimating the claims of the army on the government of the United States it is worthy of remark, that the nature of the country, as well as of the enemy to be encountered, subjected the army to many extreme hardships, and equal dangers, where every thing was hazarded and but little could be gained except the regard of their country.

The volunteers and militia (to whose claims the memorials referred to the committee particularly relate) were in actual service but a short time, for which alone they are entitled to pay by law; the compensation, therefore, to which they are entitled, is not at all commensurate to the services rendered & the dangers incurred. Besides, many of the officers and men who fell or were wounded, in the battle of the 7th November 1811, were purchasers of the public lands, for which they were indebted to the United States, which debt falls due in a short time, and the penalty of forfeiture will be incurred if the debt is not paid. It would be unjust to inflict a penalty so severe on the disconsolate widows and orphans of those officers & soldiers of the volunteers, & militia who in common with their brother officers & soldiers of the regular troops, fell in their country's cause, in a manner so distinguished, that nothing was wanting but a great occasion, interesting to the feelings of the American people, to have crowned their names with unfading laurels.

As an evidence, therefore, of the regard due to the bravery and ability displayed by the troops under the command of Governor Harrison, in the battle of the 7th November, 1811, as well as to relieve the representatives of those who were killed in the action, from the pecuniary losses incurred in consequence thereof, the committee respectfully submit the following resolutions:

1st. *Resolved*, That one month's pay ought to be allowed, in addition to the common allowance, to the officers, (according to the rank which they held) the non-commissioned officers and privates of the regulars volunteers and militia, and to the legal representatives of those who were killed, or have since died of their wounds, composing the army under the command of Governor Harrison in the late campaign on the Wabash.

2d. *Resolved*, That five years half pay ought to be allowed to the legal representatives of the officers, (according to the rank which they held) the non-commissioned officers & privates of the volunteers and militia, who were killed in the battle of the 7th November, 1811 or who have since died of their wounds.

3. *Resolved*, That provision ought to be made by law to place on the pension list, the officers, (according to the rank which they held) the non-commissioned officers and soldiers of the volunteers and militia, who served in the late campaign on the Wabash, under the command of Gov. Harrison, and who have been wounded or disabled in the said campaign.

4th. *Resolved*, that provision ought to be made by law to pay for the horses and other property of individuals, lost in, or in consequence of the said battle.

5th. *Resolved*, That the farther time of——years ought to be allowed to the officers and soldiers who were wounded and to the legal representatives of those who were killed in the said battle, to complete the payments due or which may fall due to the United States on any purchases of the public lands made by them before the said battle.

At a meeting of the *Midshipmen* at Washington Navy Yard, on Thursday last, it was unanimously

Resolved, That the midshipmen who now attend the naval school in the city of Washington will wear crape on the left arm for one month, in testimony of the respect and sorrow which they feel for those unfortunate persons, but particularly for lieut. J. Gibbon, of the United States Navy, who perished in the fire in the city of Richmond, in Virginia, on the night of the 26th of December last.

SAVAGE!

"After the battle on the Wabash, (says the Kentucky Gazette) Governor Harrison buried 50 or 60 dead upon the field—and we understand the Indians returned in a few days after his departure and took them up, scalped them and left them on the ground, and then interred their killed in the graves."

The road from Fort Hawkins to Fort Stoddart, through the Indianna Territory is completed, and the troops are returning to their respective stations.——*Geo. Jour.*