

STATUTE II.

April 27, 1798.

[Obsolete.]

President authorized to cause a number of armed vessels, not exceeding twelve, to be procured and fitted out.

Number and grade of officers, pay, subsistence, term of service, &c.

Ante, p. 523.

During the recess of the Senate the President may appoint officers.

Appropriation.

CHAP. XXXI.—*An Act to provide an additional Armament for the further protection of the trade of the United States; and for other purposes.*

SECTION 1. *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 shall be, and he is hereby authorized and empowered, to cause to be built, purchased or hired, a number of vessels, not exceeding twelve, nor carrying more than twenty-two guns each, to be armed, fitted out and manned under his direction.

SEC. 2. *And be it further enacted,* That the number and grade of the officers to be appointed for the service of the said vessels, shall be fixed by the President of the United States, as well as the number of men of which the respective crews shall be composed, who, as well officers as seamen and marines, shall receive the same pay and subsistence, be entitled to the same advantages and compensations, be governed by the same rules and regulations, and be engaged for the same time, and on the same conditions, as by an act of the United States, passed the first of July, one thousand seven hundred and ninety-seven, entitled "An act providing a naval armament," is ascertained and established, as fully, as if the particular provisions of that act, having reference thereto, were herein inserted at large. *Provided always, and be it further enacted,* That the President of the United States be, and he is hereby authorized to cause the term of enlistment of the seamen and marines, to be employed in any vessel of the United States, to be extended beyond one year, if the vessel should then be at sea, and until ten days after such vessel shall arrive in some convenient port of the United States, thereafter; any thing contained in this act, or in the act entitled "An act providing a naval armament," to the contrary notwithstanding.

SEC. 3. *And be it further enacted,* That the officers of the aforesaid vessels may, during the recess of the Senate, be appointed and commissioned by the President alone.

SEC. 4. *And be it further enacted,* That the sum of nine hundred and fifty thousand dollars be and are hereby appropriated out of any monies in the treasury of the United States, beyond the appropriations that may heretofore have been charged thereon, for the purpose of carrying the objects of this act into effect.

APPROVED, April 27, 1798.

STATUTE II.

April 27, 1798.

[Obsolete.]

Additional regiment shall be engaged for five years.

Organization thereof.

To form a part of the military establishment.

CHAP. XXXIII.—*An Act to provide an additional regiment of Artillerists and Engineers.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an additional regiment of artillerists and engineers shall and may be engaged, by voluntary enlistments, to serve for the term of five years, unless sooner discharged, and to be organized as follows; that is to say: There shall be one lieutenant-colonel commandant, one adjutant, one surgeon and three battalions, each to consist of one inajor, one adjutant and paymaster, one surgeon's mate, and four companies, of one captain, two lieutenants, two cadets with the pay, clothing and rations of a sergeant, four sergeants, four corporals, forty-two privates, sappers and miners, ten artificers to serve as privates, and two musicians in each company.

SEC. 2. *And be it further enacted,* That the additional regiment which shall be raised pursuant to this act, shall be considered as a part of the military establishment of the United States, for the time being; and the commissioned officers, non-commissioned officers, privates, artificers and musicians, who shall engage in the said regiment, shall be entitled to the

same bounty, pay and allowances, respectively, according to their corresponding ranks, as are, or shall be by law, authorized and provided for the other parts of the same establishment, and shall be governed by the same rules and articles of war, and shall be armed and accoutred, in such manner as the President of the United States shall direct, and shall and may be employed by him, in detachments, or otherwise, in the field, or the fortifications upon the sea coast, as, in his opinion, the public service shall require.

SEC. 3. *And be it further enacted*, That the Secretary of War shall provide, at the public expense, under the direction of the President of the United States, all necessary books, instruments and apparatus, for the use and benefit of the said regiment.

APPROVED, April 27, 1798.

Bounty, pay, &c.

Necessary books, &c. to be provided. Repealed 1802, ch. 9.

STATUTE II.

CHAP. XXXIV.—*An Act for erecting Lighthouses, and placing buoys and stakes at the places therein mentioned.*

April 27, 1798.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That as soon as a session shall be made by the state of Virginia to the United States, of the jurisdiction over a tract of land proper for the purpose, the Secretary of the Treasury be, and he is hereby authorized to provide, by contract, to be approved by the President of the United States, for building a lighthouse on Old Point Comfort, in the said state, and to furnish the same with all necessary supplies; and also to agree for the salaries or wages of the person or persons who may be appointed by the President for the superintendence and care of the same, and that the President be authorized to make the said appointments; and also, that the Secretary of the Treasury be authorized to cause six buoys to be placed near the entrance of Portland harbor, in the state of Massachusetts, at such places as, in his opinion, will best secure the navigation of the said port; and to cause the channel of Warren river, from Narraganset Bay, to the port of Warren, in the state of Rhode Island, to be staked out and distinctly marked.

Lighthouse to be built on Old Point Comfort.

Buoys to be placed near the entrance of Portland Harbor.

Warren river to be staked.

SEC. 2. *And be it further enacted*, That there be appropriated and paid, out of the monies arising from imports and tonnage, the sum of three thousand and fifty dollars, for the purposes aforesaid.

Appropriation.

APPROVED, April 27, 1798.

STATUTE II.

CHAP. XXXV.—*An Act to establish an Executive department, to be denominated the Department of the Navy.*

April 30, 1798.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be an executive department under the denomination of the Department of the Navy, the chief officer of which shall be called the Secretary of the Navy, whose duty it shall be to execute such orders as he shall receive from the President of the United States, relative to the procurement of naval stores and materials and the construction, armament, equipment and employment of vessels of war, as well as all other matters connected with the naval establishment of the United States.(a)

Department of the Navy. Secretary of the Navy—his duty.

(a) The acts relating to the establishment of the department of the Navy, are: An act to establish an executive department to be denominated the Department of the Navy, April 30, 1798, chap. 35; an act concerning the naval establishment, March 3, 1815; an act for the gradual increase of the navy of the United States, April 29, 1816; an act supplementary to an act entitled, "An act concerning the naval establishment," March 1, 1817; an act to amend the act entitled, "An act for the gradual increase of the navy of the United States," March 3, 1821; an act supplementary to "an act for the gradual increase of the navy of the United States," May 17, 1826; an act for the gradual improvement of the navy of the United States, March 3, 1837.