

through the proper military departments, to collect and distribute all arms and equipments or any of the military property of this state, whether in the hands of volunteer companies or otherwise.

SECTION 15. The governor is hereby authorized to make such compensation to the several officers of the general staff actually called into the service of the state, as in his opinion shall be just and equitable: *provided*, that such compensation shall not exceed the pay of officers of the United States army, occupying like positions and discharging similar duties. Compensation to general staff.

SECTION 16. The governor is hereby authorized to fix and designate the relative rank of the field officers of all regiments mustered into active service under this act, and after such relative rank shall have been designated, in all cases where vacancies shall occur, such vacancies shall be filled by the officer of the highest rank in the next lower grade, until such vacancy shall be filled by appointment of the governor. Rank of field officers.
Vacancies.

SECTION 17. There is hereby appropriated out of the war fund in the state treasury, an amount of money sufficient to pay all warrants drawn in conformity with the provisions of this act: *provided*, the whole amount appropriated shall not exceed one million of dollars, inclusive of the two hundred thousand dollars appropriated by section three of chapter two hundred and thirty-nine of the general laws of 1861. Appropriation.
Limit.

SECTION 18. This act shall take effect and be in force from and after its passage.

Approved May 25, 1861.

CHAPTER 5.

[Published May 27, 1861.]

AN ACT to prevent rendering aid to Rebels.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person who shall, within this state, levy war against the United States, or who shall, by some overt act, give aid, advice or comfort to the ene- Rendering aid to the enemies of the United States.

mies of the United States, or who shall knowingly and willfully aid or assist any enemies in open war, or persons in rebellion against this state or the United States, by joining their armies, or by enlisting, or procuring or persuading others to enlist for that purpose, or by furnishing such enemies or persons in rebellion with arms, ammunition, provisions, munitions of war, or any other articles for their aid or comfort, or by shipping, sending or carrying to such enemies, or rebels, or their agents, any such articles, or who shall manufacture, purchase, husband, store or have in possession any such articles for the purpose of being sent or shipped to any such enemies or rebels, or their agents, or who shall carry on any traitorous correspondence with any such enemies or rebels, or who shall send any intelligence to any such enemies or rebels, or to any pretended government engaged in resisting the laws or authority of this state or the United States, for the purpose of betraying the forces of this state or of the United States into the hands or power of any such enemies or rebels, shall, upon conviction thereof, be imprisoned in the penitentiary for a term not less than one nor more than twenty-five years, and pay a fine not less than five hundred nor more than ten thousand dollars, or either, at the discretion of the court, which fine shall be a lien on all the real and personal property of the person so convicted, from the date of the indictment, or from the date of the arrest, if arrested before indictment.

Penalty.

Arms, &c. designed for enemies, may be seized.

SECTION 2. All arms, ammunition, provisions and munitions of war, and all articles useful in carrying on war, within the territorial jurisdiction of this state, or in transition through the state, belonging to or designed for any enemies, or person or persons in rebellion against the United States or against this state, either within this state or elsewhere, shall be liable to be seized, and it is hereby made the duty of all officers, civil or military, of this state, to seize and detain all such arms, ammunition, munitions of war and other articles as aforesaid, and cause them to be securely stored, and shall immediately give information to the governor of this state, with a schedule of all articles seized and detained, who shall advertise the taking and detention of the same, in all cases where the owner thereof is unknown, in two weekly papers published

Duty of officers.

Articles seized to be advertised, &c.

at the city of Madison, for six weeks, when, if they are not reclaimed by some person or persons not in violation of this act, he shall cause them to be removed to the state arsenal, or to such other place as he may designate, and shall pay all expenses incurred thereby from the military fund; and such articles as may be seized and forfeited under this act, shall be used and disposed of for the benefit of the state.

SECTION 3. No arms, ammunition or munitions of war, shall be sent or shipped to any place out of this state, except on the order of the president of the United States, or of the governor of this state, or of the authorized agent of the governor, or of the proper officer acting in pursuance of law; and the absence of any such order shall be deemed *prima facie* evidence that such arms, ammunition and munitions of war are owned by or intended for the use of some person or persons in rebellion against the government and laws aforesaid; and the absence of proof to the contrary shall justify the seizure and detention of such arms, ammunition and munitions of war, and shall also justify the seizure and detention of all other arms, ammunition and munitions of war in the hands of or belonging to the said party sending or shipping such arms, ammunition or munitions of war.

By whose authority arms, &c. may be shipped out of the state.

SECTION 4. It shall be the duty of each judge of the circuit court in this state, to charge the grand jury at each term of said court, to enquire into all offences against the provisions of this act, and to present any person who may be guilty of any such offence within their county.

Duty of judges of circuit courts.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 25, 1861.