

CHAPTER 112.

[Published March 22, 1862.]

AN ACT to explain and amend chapter eight of the laws of the extra session of 1861, entitled "an act to provide for the aid of volunteers in the service of the United States or of this state," approved May 25, 1861.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Volunteers in-
regiments of in-
fantry and caval-
ry, and in bat-
teries of artill-
ery, entitled to
extra pay.

SECTION 1. Chapter eight of the general laws of the extra session of 1861, is hereby amended as follows: "The benefits of said chapter eight, to which this is amendatory, shall apply to all regiments of infantry and cavalry, and batteries of artillery, which have been mustered into the service of the United States or of this state, since the sixteenth day of April, 1861, and all regiments in process of formation at the present time: *provided*, that no persons enlisting in any regiment of infantry or cavalry, or battery of artillery, in the service of the United States or of this state, hereafter to be organized, and not already in process of formation, shall be entitled to the benefits of this act; *and provided, further*, that no non-commissioned officer, musician or private, who shall desert or be dishonorably dismissed from the service, shall be entitled to the benefits of this act, or the act of which this is amendatory."

The term "fam-
ily" defined.

SECTION 2. The term "families" or "family," where it occurs in chapter eight aforesaid, shall be construed to mean the wife living with, and actually dependant [dependent] upon the volunteer for support at the time of his enlistment; or, having no wife as above, then his children under fourteen years of age; having no wife or children, then infirm and indigent parent or parents actually dependant [dependent] upon the labor of said volunteer for support, at the time of his enlistment: *provided*, that no one family or person shall be entitled to draw more than five dollars per month under the provisions of this act, or the act to which this is amendatory.

Rules of evi-
dence.

SECTION 3. The secretary of state shall prescribe rules of evidence necessary to carry out the provisions of this act, and of the act to which this act is amendatory.

SECTION 4. If any officer or person shall willfully make a false certificate or statement, to accompany any application for compensation provided by said chapter eight, as explained by this act, or shall knowingly affix a jurat to a false statement or affidavit, to be used in obtaining the aid provided by said chapter, explained as aforesaid, he shall forfeit double the amount received from the state treasurer upon such application, to be recovered, with costs, on complaint of any person who shall bring a suit therefor in the name of the state; one-half the forfeit to go to the complainant, and the remainder to be paid to the county treasurer in the county where the suit is brought, to be placed to the credit of the state of Wisconsin; and such officer or person shall, in addition to the foregoing penalty, be liable to indictment as for a misdemeanor, and if convicted, shall be punished by fine and imprisonment, at the discretion of the court.

Penalty for making false certificate.

SECTION 5. The commanding officers of all regiments, companies or other bodies of volunteers from this state in active service, or in this state in process of formation, shall report to the adjutant general on the first day of each month, or as soon thereafter as practicable, the names of all non-commissioned officers, musicians or privates who have died, deserted, been made prisoners by the enemy, or honorably discharged or dishonorably dismissed from the service, since their last report, with the respective dates of such deaths, desertions, discharges or dismissals, a copy of which report shall be forthwith transmitted by the adjutant general to the secretary of state. If the commanding officers aforesaid shall fail or neglect to make the report as aforesaid, for the space of twenty days after the time appointed in this section, then the secretary of state shall withhold all warrants for such extra compensation to the members of such delinquent regiment, company or body of volunteers, until full and complete returns shall have been received.

Commanding officers to make monthly reports.

If not made, secretary of state to withhold warrants.

SECTION 6. The secretary of state shall cause copies of this act to be sent to the officers of every regiment of Wisconsin volunteers in active service or in process of formation.

Copies to be sent to officers.

SECTION 7. This act shall take effect and be in force from and after its passage.

Approved March 21, 1862.