

CHAPTER 22.

WISCONSIN NAVAL MILITIA.

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22.01 Naval militia; organization. There shall be allowed in addition to the forces now authorized by law to be maintained, four divisions or companies of naval militia, each of the number of men hereinafter stated. Four companies or divisions shall constitute a battalion, to be known as the "Wisconsin Naval Militia."

22.02 Lieutenant commander; staff; appointment; petty officers. (1) The naval militia shall be commanded by an officer to be appointed in the first instance by the governor, and commissioned by him, with the rank of lieutenant commander, who shall have the power to appoint a staff to consist of one executive officer, with the rank of lieutenant; one navigating officer, one past assistant engineer, one ordnance and equipment officer, all with the rank of lieutenant; one signal officer, one assistant surgeon, one assistant paymaster, one chaplain, and one judge advocate, all with the rank of lieutenant junior grade, one ensign who shall be aid to the commanding officer, all who shall be commissioned by the governor, when so appointed.

(2) There shall also be attached to the commanding officers' staff the following petty officers,—one master-at-arms, who shall be the chief petty officer of the naval force, one chief boatswain's mate, one gunner's mate, one equipment yeoman, one apothecary, one ship's armorer, one electrician, and one machinist, one chief quartermaster, one coxswain, one chief bugler, and one band not exceeding twenty-one pieces.

22.03 Company officers. To each company or division there shall be one lieutenant; one lieutenant, junior grade; and two ensigns, to be elected in the first instance by the members of said company or division, and commissioned by the governor; and thirty-five petty officers and men as a minimum, and sixty-five petty officers and men as a maximum; the petty officers of each company to be appointed by the commander upon the recommendation of the lieutenant in command thereof.

22.04 Organization; discipline; vacancy; control. (1) The organization of the naval militia shall conform generally to the provisions of the laws of the United States, and the system of discipline and exercise shall conform as nearly as possible to that of the United States navy, as now or hereafter organized; and whenever a vacancy shall occur in any position herein enumerated, the ranking officer next below shall, by virtue of his rank, succeed to and become entitled to said position and rank and the governor, upon such succession, shall issue a commission to said successor, as if originally appointed.

(2) When not otherwise provided for, the government of the naval militia shall be controlled by the provisions of the military code of the state of Wisconsin. The naval militia shall be under the control of the adjutant general under the commander in chief, and all reports shall be made to him through proper channels.

Note: Specific language of 22.02 relative to rank of officers in state naval militia controls more general provisions of 22.04. 28 Atty. Gen. 279.

22.05 Examining board. All officers below the grade of lieutenant commander shall hold their commissions for ninety days as acting officers in the grade to which appointed or elected, and within that time shall be examined as to their mental and physical qualifications, and if not passing satisfactorily, the acting appointment shall then cease. The examining board shall consist of three officers, one of whom shall be the commanding officer.

22.06 Arms; equipment. When the government of the United States is ready to supply arms and equipment, as well as material and opportunity, for naval instruction and drill, the governor is authorized to make the necessary arrangements for carrying such program into effect.

22.07 Duties; compensation; "armory" defined. The duty of the naval militia required by law, or any part of it, may be performed afloat in United States vessels, officers and men of the naval militia, while mustered temporarily into the service of the United States for instruction, or active service, other than when called into active service by the

governor, in time of war, riot, insurrection, etc., shall not be entitled to any compensation or allowance from the state. The word "armory," as used in the military code, shall be held to include any vessel, anchored, moored or secured to land, or any boat, boathouse or dock, used for the purpose of instruction, drill or defense.

22.08 Exemptions; privileges. The exemptions, and privileges granted by law, to the officers and enlisted men of the national guard, are extended to the members of the naval militia.