

[No. 29, S.]

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CHAPTER 185.

AN ACT to amend chapter thirty-four of the revised statutes, entitled "of the militia," and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin national guard

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

SECTION 1. Section six hundred and twenty-three of the revised statutes is hereby so amended as to read as follows: Section 623. Every company or battery of the Wisconsin national guard shall provide suitable uniforms, which shall be the same prescribed for similar organizations in the United States army, unless the governor authorize or permit a different uniform to any company or battery. There shall be paid annually to each company or battery which shall be entitled to the benefits of this chapter from the state treasury, for the purpose of aiding in procuring uniforms and keeping them in repair, a sum equal to five dollars for each of its members who are actually and fully uniformed, and are in attendance at the annual inspection, and at the encampment for such year into which said company may be ordered, not to exceed seventy-five members to each company, and no company with less than fifty-five members shall be entitled to such allowances. Such fund shall constitute the clothing fund of the company or battery, and shall be used or applied to no other purpose than the procuring or repair of uniforms. The governor shall order such payment to be withheld from any company or battery which shall be delinquent in returns or reports, neglectful of its duties, parades, drill or instruction, or guilty of any insubordination or misapplication of its funds drawn from the state. The governor may, by orders, require any or all of the companies to leave all or any part of such fund in the treasury on deposit, and to be expended for uniforms or repairs thereon, when and in such amount as he shall direct, and may make such orders or regulations, or require such security from officers from time to time as he deems necessary for the proper care or expenditure of said fund, or the clothing procured therewith.

Un'forms

Five dollars per capita.

Clothing fund.

When fund not to be drawn.

SECTION 2. Section six hundred and forty of the revised statutes is hereby so amended as to read as follows: Section 640. The governor may form the volunteer companies into battalions and regiments, and appoint officers therefor on the recommendation of a

Formation of battalions.

majority of the commissioned officers of the companies forming such battalion or regiment. Any number of volunteer companies, not less than three nor more than five, may be formed into a battalion; and two battalions of five companies shall be deemed a regiment; and the officers of such regiment shall be a colonel, who shall be the commanding officer, one lieutenant colonel and one major. A battalion of five companies shall be officered by a lieutenant colonel, who shall be the commanding officer, and one major; and a battalion of three or four companies shall be commanded by a major. The staff of a colonel of a regiment and of a lieutenant colonel, or of a major commanding a battalion, shall consist of one adjutant, one quartermaster and one surgeon, each with the rank of a first lieutenant, and one chaplain, one quartermaster sergeant, one commissary sergeant, one hospital steward, one chief musician, and one sergeant major, to be appointed by such commanding officer; the adjutant to be selected from the line, as in the United States army. The uniform of all general, regimental and staff officers shall be similar to that of corresponding grades and corps in the United States service, but may be changed in any respect or in any instance by order of the governor. The governor may with or without permanently organizing battalions or regiments order rendezvous and encampments of the several companies for instruction in military drill and duties, not to exceed six days in any year, and may fix the point at which such company shall rendezvous. Not less than four companies shall rendezvous at any one place, and the governor, in orders, shall designate the company officer to command at each camp. The governor may allow, toward the expense of subsistence of the troops during such rendezvous, a sum sufficient to provide one ration per day for each member of the companies actually attending in uniform for the time he is absent from home to attend such rendezvous, computed at the price at which rations are commuted in the United States army. Such subsistence allowance shall be paid out of the state treasury to the companies, on such vouchers and proofs as the governor may require, and on his approval. No quarters, equipage or transportation shall be provided at the expense of the state. The quartermaster general shall procure license for the troops to occupy grounds or buildings at such places of rendezvous, but without expense to the state; and the allowances of the companies may be withheld from them by the order of the governor,

Regimental officers.

Regimental staff.

Uniform of general, regimental and staff officers.

Rendezvous and encampments.

Allowance for subsistence.

Duty of quartermaster general.

and applied to the payment of any damages to grounds, buildings or property, which they or their members may cause, while in rendezvous or in movement thereto. Damages wrought by the guard.

SECTION 3. Section six hundred and twenty-one of the revised statutes is hereby so amended as to read as follows: Section 621. Every company of cavalry shall consist of the following officers, non-commissioned officers and privates, viz: One captain, one first lieutenant, one second lieutenant, one first sergeant, five sergeants, eight corporals, one saddler, one wagoner, one farrier or blacksmith, and two trumpeters, and not less than forty-three nor more than seventy-eight privates. Every other company and battery shall consist of one captain, one first lieutenant, one second lieutenant, five sergeants, eight corporals, one drummer, one fifer, one wagoner, and not less than thirty-six nor more than eighty-two privates, excepting light batteries, which shall be allowed one hundred and twenty-two active members each. The governor may, by general orders from time to time, change such provisions, however, to conform to the organization of companies and batteries in the United States army. Cavalry companies.

Vacancies, occasioned by the death, promotion, resignation or discharge of such officers, shall be filled by promotion of the next officer in rank, subject to the approval of the governor. No person shall be a member of two companies at the same time. Recruits may be subsequently enlisted in such manner as may be prescribed by the governor in general orders, or in the absence of such orders, by the by-laws of such company or battery. Batteries and other companies.

SECTION 4. Section six hundred and forty-five is hereby so amended as to read as follows: Section 645. The adjutant general and quartermaster general shall prepare, subject to the governor's approval, blanks and forms for muster rolls, ordinance and property returns, reports, receipts and other papers necessary to carry out the provisions of this act, with proper accompanying instructions, such as shall be necessary to the several company commanders, from time to time. The adjutant general shall preserve and cause to be recopied, when necessary, such muster rolls or other records of his office as require to be transcribed for preservation. Authority of governor.

SECTION 5. Section six hundred and thirty-five is hereby amended so as to read as follows: Section 635. Each company or battery, not exceeding thirty in all, Duty of adjutant and quartermaster general.

Companies entitled to \$300 each from state.

which shall upon such inspection be found to be organized, to possess at least the minimum number of members, to be well uniformed, to be equipped with the necessary arms and accoutrements for its members, to have a suitable armory, to have its arms, accoutrements and stores in good condition, and to have assembled for inspection, as provided by law, and the commanders of which shall have made all the musters and returns required, shall, upon the certificate thereof by the adjutant general, approved by the governor, be annually paid out of the state treasury three hundred dollars, on the receipts of its commander; which shall be in full compensation on the part of the state for all pay, when not called into active service, and for rent of armory, care and repair of arms and property, and for all other expenses whatsoever, except the allowance of clothing and subsistence allowance authorized by this chapter. Whenever any of the companies constituting the Wisconsin national guard shall lapse into ill condition, become lax in discipline, negligent in instruction, drill, or other duties, or its members lose interest in their organization, the governor may retire such company from such guard, and admit in place of it some other company of later organization, which shall be found to be better entitled to the benefits of this chapter, and to have complied with all the requirements thereof.

When company may be retired.

When entitled to honorable discharge.

SECTION 6. Section six hundred and thirty-eight of said chapter is hereby so amended as to read as follows: Section 638. Non-commissioned officers, musicians and privates shall be honorable discharged only upon certificates thereof signed by the company commander and indorsed by the adjutant general, with the governor's approval. Such discharge shall not be granted unless after five year's service, or for some absolute disability occurring after muster in, or unless the member discharged permanently removes his residence out of the county, or unless the governor shall order the same for other good cause.

Appropriation.

SECTION 7. There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, a sum sufficient to defray the expenses and pay the allowances authorized by this act.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 11, 1880.