

No. 318, S.]

[Published June 23, 1905.]

CHAPTER 434.

AN ACT to amend chapter 34 of the statutes of 1898 as amended by chapter 228 of the laws of 1901 and chapter 240 of the laws of 1903, relating to the Wisconsin National Guard.

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

Tenure of office; vacancies. SECTION 1. There is hereby constituted a new section of the statutes of 1898 to be designated as section 611a, which shall read as follows: 611a. The adjutant general, quartermaster general, assistant adjutant general, assistant surgeon general, inspector of small arms practice, quartermaster and officers of the pay and subsistence departments of the Wisconsin National Guard, heretofore appointed and now acting as such officers, shall hold their positions until they shall have reached the age of 64 years unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court martial under the provisions of section 66, chapter 228, laws of Wisconsin, 1901. Vacancies among said officers shall be filled by appointment from the officers of the Wisconsin national guard.

Temporary military force when authorized. SECTION 2. There is hereby constituted a new section of the statutes of 1898 to be known as 610a, which shall read as follows; 610a. In the event of all or part of the Wisconsin National Guard being called into the service of the United States, the governor is hereby authorized to organize and equip a temporary military force equal in size and organization to that called from the state, provided, that upon the return to the state of the troops called into the service of the United States, the temporary military force shall be disbanded.

Appropriations. SECTION 3. Section 73, chapter 228, laws of 1901 as amended by section 7, chapter 240, laws of 1903, is hereby constituted section 649—34 and amended to read as follows: 649—34. There is hereby annually appropriated out of any money in the state treasury not otherwise appropriated a sum of money, to make *all the* purchases, defray the expenses

and pay the allowances of the Wisconsin National Guard during each fiscal year not to exceed one hundred thirty thousand dollars (\$130,000). This limit to apply annually except in case of war, riot or great public calamity. To promote interest and efficiency in rifle practice, not to exceed fifteen hundred dollars (\$1,500) of the annual state military appropriation may be expended annually, on approval of the governor, to defray the expenses of the state participating in the annual national rifle competition between the several states and the army and navy of the United States. There is further appropriated for the purpose first above named in this section, the sum of ten thousand dollars per annum for the period of two years, out of any money in the state treasury not otherwise appropriated.

School for officers, when held. SECTION 4. There is hereby constituted a new section of the statutes of 1898 to be designated as section 639a, which shall read as follows. 639a. Once each year a school for all the officers of the Wisconsin National Guard shall be held, on the approval of the governor, and at such time and place as he may order. This school shall be held not to exceed two days. Attendance shall be compulsory and a per diem allowance shall be paid each officer attending. Payment shall not be made for a period of more than two days nor shall any officer be paid more than the pay of an officer of equal rank in the United States army.

Armory rent; feed for horses. SECTION 5. Section 59, chapter 228, laws of 1901 as amended by section 4, chapter 240, laws of 1903, is hereby constituted section 649—19 of the statutes of 1898, and amended by adding at the end thereof the following: 649—19. *There shall be paid annually to each band of the Wisconsin National Guard for armory rent the sum of two hundred dollars (\$200) and to troop "A" first cavalry and first battery field artillery each an additional one thousand dollars (\$1,000) annually for the purchase, care and feed of horses.*

Salaries and employees. SECTION 6. Section 170, statutes of 1898 is hereby amended by striking out the words "fourteen hundred dollars" where they occur in the first line of page 262 of said statutes, and inserting in lieu thereof the words: *eighteen hundred dollars* and by inserting after the words "twelve hundred dollars" where they occur in the fifth line of said page 262, the following: *a clerk to the quartermaster general with the approval of the governor for duty in his office on*

the Wisconsin military reservation not to exceed eight hundred forty dollars.

Officers' indemnity bond, payment for. SECTION 7. Section 36, chapter 228, of the laws of 1901, is hereby constituted section 645 of the statutes of 1898 and is amended by adding at the end thereof the following: 645. *The adjutant general, with the approval of the governor, may obtain and pay for out of the annual military appropriation an adequate indemnity bond covering all of the officers of the Wisconsin National Guard responsible to the state for moneys and military property.*

Officers' equipment and uniforms. SECTION 8. Section 33, chapter 228 of the laws of 1901, is constituted section 642 of the statutes of 1898 and is amended to read as follows: Section 642. *No state funds shall be used for the purchase of uniforms or equipment for officers except that such equipment may be issued by the quartermaster general and chief of ordnance upon the approval of the governor.*

General courts martial. SECTION 9. Section 66, chapter 228 of the laws of 1901, is hereby constituted section 649—26 of the statutes of 1898, and is amended by adding at the end thereof the following: Section 649—26. *General courts martial legally convened for the trial of members of the Wisconsin National Guard shall have authority, subject to approval by the governor, to impose fines not to exceed twenty-five dollars (\$25) in any one case and to punish by imprisonment in a county jail not to exceed thirty days, and the sheriff or other officers shall aid in the enforcement of such sentences in the same manner as in other cases.*

Police powers conferred. SECTION 10. Section 65, chapter 228, of the laws of 1901 is constituted section 649—25 of the statutes of 1898 and is amended by adding at the end thereof the following: *The officer in charge of the state military reservation shall have on such reservation the police powers possessed by officials at state hospitals as provided in section 609 of the statutes of 1898.*

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved June 19, 1905.