

No. 205, S.]

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CHAPTER 162.

AN ACT to amend chapter 292, laws of 1893, as amended by chapter 181, laws of 1895, relating to the Wisconsin National Guard.

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

Regimental
band not to
exceed twenty-
six.

SECTION 1. Section 14, chapter 292, laws of 1893, is hereby amended, by striking out the words "twenty-four," in the second line thereof, and inserting after the word "exceed," in the second line, the following: "Twenty-six," so that said section when so amended, shall read as follows: Section 14. Each regiment may have one band of not to exceed twenty-six men, the members of which, shall hereafter be enlisted by the regimental commander, or such officer as he may appoint for such purposes; and such members shall receive the same pay and allowance, except for armory rent, as other enlisted men of the national guard, and be held to service as other enlisted men therein. The governor may, by orders, prescribe and establish such rules and regulations for the issuing of state property to bands, and the giving of security therefor, the mustering, inspection, property and other returns, as he may deem proper.

Military staff
of the govern-
or, of what it
shall consist.

SECTION 2. Section 22, chapter 292, laws of 1893, is hereby amended by striking out the word "major," in the ninth line thereof, and by inserting after the word "of," in the ninth line, the following: "Colonel," and by striking out the word "captain," in the eleventh line thereof, and inserting after the word "of," the word "major," so that said section, when so amended, shall read as follows: Section 22. The military staff of the governor shall consist

of one adjutant general, one quartermaster general, one surgeon general, with the rank of brigadier general, such aides-de-camp, with the rank of colonel, and such other officers as he may from time to time require. The adjutant general, and the quartermaster general, may each appoint one assistant with the rank of colonel, and the quartermaster general may appoint an additional assistant with the rank of major.

Titles of officers.

SECTION 3. Section 34, chapter 292, laws of 1893, is hereby amended by inserting after the words "fifty dollars," in the twenty-second line thereof, the following: "or be punished by imprisonment in the county jail for not less than ten days, nor more than sixty days, or both," so that said section, when so amended shall read as follows: Section 34. The governor may, in his discretion, direct the quartermaster general to issue old or unserviceable arms and equipments in possession of the state, to such colleges and schools, applying for the same, for the purpose of instruction in military science, in such quantities, as he may deem proper. But no arms, accoutrements, stores or military property shall be issued, otherwise than as herein provided, except in case of war, insurrection or imminent public danger. No person shall retain at any time, any arms, equipments or military stores of any kind belonging to the state, unless they have been properly issued to him in pursuance of law, and he shall be permitted by proper authority to retain the same in the discharge of a public duty; and no person shall use any public arms, equipments, clothing or military stores, belonging to the state, for his private use. Any person violating the provisions of this section, shall forfeit not less than twenty dollars, nor more than fifty dollars, or be punished by imprisonment in the county jail for not less than ten days, nor more than sixty days, or both, such forfeiture to be recovered in an action brought in the name of the state on the complaint of any citizen. It

Unserviceable arms and equipments may be issued to schools, colleges, etc., by order of the governor.

Penalty for issuing arms, etc., except in time of war, etc.

shall be the duty of the district attorney of the proper county to prosecute every such action.

SECTION 4. Section 35, chapter 292, laws of 1893, is hereby repealed.

Relating to insuring state property. Company and band to provide suitable armory, etc.

SECTION 5. Section 50, chapter 292, laws of 1893, is hereby amended by inserting after the word "company," in the first line thereof, the words "and band," so that said section, when so amended shall read as follows: Section 50. Each company and band shall provide, at its own expense, a suitable room or building for an armory, and proper racks, frames and other needful provisions for the safe keeping of the arms, accoutrements and stores, issued by the state, and shall therein keep the same when not in lawful use.

Armory rent and other expenses for company and band.

SECTION 6. Section 51, chapter 292, laws of 1893, is hereby amended by inserting after the word "company," in the first line thereof, the words "or band," and by inserting after the word "company," in the ninth line thereof, the words, "or the officer or non-commissioned officer in charge of such band," and by inserting after the words, "eight hundred dollars," in the thirty-second line thereof, the words, "and the bands each the sum of one hundred dollars," so that said section, when so amended, shall read as follows: Section 51. When such company or band shall be found by means of the annual inspection, provided for in this act, to be properly organized; to have at least the minimum number of members to be well uniformed; to be well equipped with the necessary arms and accoutrements, and to have its arms, accoutrements and stores in good condition; to have assembled for inspection and drill as provided by law; and if the commanding officer of such company, or the officer or non-commissioned officer in charge of such band, shall have made all the muster rolls, and returns required by law or order, all of which shall be evidenced by the certificate of the adjutant general; and when such certified inspection report shall be approved by the governor, each such company

shall annually be paid out of the state treasury, upon the receipt of its commanding officer, the following appropriations in addition to those otherwise provided for in this act: Each company, stationed in a city containing less than twenty thousand inhabitants, according to the last state or national census, the sum of three hundred dollars. Each company, stationed in a city containing more than twenty thousand, and less than fifty thousand inhabitants, according to the last state or national census, the sum of four hundred dollars. Each infantry company, stationed in a city containing more than fifty thousand inhabitants, according to the last state or national census, the sum of five hundred dollars. The troop of cavalry and battery of light artillery, each the sum of eight hundred dollars, and the bands each the sum of one hundred dollars. The above mentioned appropriations shall be full compensation for armory rent, and for all other expenses not otherwise provided for in this act.

Amount of appropriation for each company in various cities allowed for expenses.

SECTION 7. Section 68, chapter 292, laws of 1893, is hereby amended by inserting after the word "care," in the fifth line thereof, the word "enlargement," so that said section, when so amended, shall read as follows: Section 68. There is hereby appropriated out of the general fund, to be paid on the voucher of the quartermaster general, with the approval of the governor, the sum of three thousand dollars annually, for the maintenance, care, enlargement and improvement of said military reservation.

\$3,000 annually for maintenance and care of military reservation.

SECTION 8. Section 70, chapter 292, laws of 1893, is hereby amended by inserting after the word "company," in the second line thereof, the words "or band" and by inserting after the word "thereon" on the fifth line thereof, the words "or for insurance," so that said section, when so amended, shall read as follows: Section 70. The governor may require, by orders, any company or band, to leave all or any part of such funds in the treasury on deposit, and may direct the same to be expended for uniforms or re-

Governor may require company or band to leave part of its funds in the treasury for certain purposes.

pairs thereon, or for insurance, when, and in such amount as he shall direct, and make such orders or regulations or require such security from officers, from time to time, as he may deem necessary for the proper care or expenditure of said funds or the clothing procured therewith.

Amount to be allowed a troop or battery.

SECTION 9. Section 71, chapter 292, laws of 1893, is hereby amended by striking out after the words "sum of," in the fourth line thereof, the word "three" and inserting in place thereof the word "fifteen," so that said section, when so amended, shall read as follows: Section 71. In addition to all other appropriations and allowances, provided for in this act, the troop and battery shall each receive, subject to the approval of the governor, the sum of fifteen hundred dollars annually, as extra allowances for the extraordinary expenses incident to drills and instruction of mounted organizations; provided, that not more than three hundred dollars of this amount shall be paid annually, to said troop or battery, unless said troop or battery shall have present at each annual inspection not less than fifty-five enlisted men in complete uniform, and at each annual encampment, not less than forty-five enlisted men properly mounted and equipped; and each regimental commander shall receive annually the sum of one hundred dollars, for the incidental expense of regimental headquarters, and each such commander shall annually report to the adjutant general the disposition made of such fund.

Board of visitors to be appointed by the governor to visit National Guard when in camp.

SECTION 10. Section 68, chapter 292, laws of 1893, is hereby amended by adding thereto the following, which shall be known as "Section 68a." Section 68a. A board of visitors to the Wisconsin National Guard, is hereby created, which shall consist of six members, two of whom shall be appointed biennially from the senate, by the lieutenant governor; two to be appointed biennially from the assembly, by the speaker; and two to be appointed annually by the governor from the public at large. The duties of this board shall be to visit, once each

summer, the Wisconsin National Guard when in camp, observe its condition, equipment, instruction and discipline and make full report thereof to the governor, together with such recommendations as it may see fit to make. The board to receive no compensation but all its expenses to be paid by the state, on voucher of the adjutant general, approved by the governor.

SECTION 11. Section 40, chapter 292, laws of 1893, is hereby amended by inserting after the word "clerks," in the third line thereof the words, "and other help," and by substituting for the word "offices," in the fourth line thereof the word "departments," and by inserting after the word "clerks" in the twelfth line thereof, the words "and other help," and by striking out the word "and" after the word "officers" in the thirteenth line thereof, and by inserting after the word "clerks" in the thirteenth line thereof, the words "and help," so that said section, when so amended, shall read as follows: Section 40. The governor, and the adjutant general, and the quartermaster general, with the governor's approval, may employ such clerks, and other help in their departments, and shall be furnished with such blanks, and blank books, as may be necessary to the proper discharge of their duties under this chapter. The governor may, by orders, duplicates of which shall be filed with the secretary of state, fix the pay of the quartermaster general, and the pay of any member of his staff, or other officer or officers, for any special service under orders, and the pay of all clerks and other help, above referred to. The pay of such officers, clerks and help, and their actual and necessary expenses when on special duty under the orders of the governor, shall be paid out of the state treasury.

Relating to the employment of clerks and other help.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved April 1, 1897.