

## CHAPTER 84.

## MILITIA.

## AN ACT to organize and discipline the Militia.

- SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That the entire militia of the State are hereby required to organize into companies of Infantry, Cavalry or Artillery.
- Required to organize.**
- Assessors' lists.** **SEC. 2.** Assessors in each civil township are hereby required to take and return to the Clerk of the Board of Supervisors of their respective counties, at the time of taking the annual assessment, a correct list of persons subject to military duty, and also to post up in at least two public places in their respective townships, written or printed lists containing the names of all persons subject to military duty, and returned as aforesaid.
- Board of Supervisors' duty.** **SEC. 3.** The Board of Supervisors of each county are hereby required, at every regular meeting thereof, to act as a Board of Review on said lists, and may order the addition thereto of the names of any persons subject to military duty and not found on the lists, and may also order the name of any person improperly enrolled to be stricken from the lists. The Clerk of said Board shall keep a book in his office to be called the Militia Register, in which he shall record, by townships, in alphabetical order, the name and age of every person subject to military duty, and he shall annually, and within ten days after the June meeting of said Board, certify to the office of the Adjutant General of the State, three copies of said list; and any Clerk neglecting or refusing to make the returns to the office of the Adjutant General, as provided in this Section, shall forfeit and pay a fine of not less than twenty-five nor more than one hundred dollars, to be recovered before any Court having jurisdiction, for the benefit of the school fund.
- Militia Register.**
- Furnish Adj. Gen. copies.**
- Penalty.**
- Gov. to cause organization.** **SEC. 4.** It is hereby made the duty of the Governor to cause the militia of the State to be organized into companies, and he is hereby vested with full power and authority to make all necessary orders, rules and regulations for the first enrollment of the militia, and carrying out the provisions of this Act.
- Companies continued.** **SEC. 5.** The companies organized under the provisions of Chapter 17 of the Acts of the Extra Session of the Ninth General Assembly, approved September

11th, 1862, are hereby continued, and constituted company organizations, and are authorized to retain their arms and accoutrements, subject to such orders as the Governor may from time to time issue: *Provided*, Such Bond. companies shall execute such bond as is required by Section nine of this Act.

SEC. 6. Each company organized as provided in the last Section, and each company to be organized under this Act, shall be composed of not less than forty men. Minimum No of a Co.

SEC. 7. The Governor shall be the Chief of the militia. He may order and direct companies to form into Battalions or Regiments. The order for this purpose shall designate the companies and the number of companies to be formed into any such Battalion or Regiment, and fix the time and place for the election of officers, including, if a Battalion, one Major, one Battalion Quartermaster, and one Battalion Adjutant. The company officers shall be elected by the members of the company. The Regimental officers shall be one Colonel, one Lieutenant Colonel, and one Major, and such staff officers as are necessary, to conform, as near as may be, with the Volunteer Regiments in the United States service. All Regimental officers shall be elected by the members of the companies composing the Regiment. The returns of any election, company or regimental, shall be made to the office of the Adjutant General within ten days after said election. Company and Regimental officers shall be commissioned by the Governor, except Sergeants and Corporals, who shall receive warrants of rank from the Commanders of their respective Regiments.. Commander-in-Chief.  
Organization  
Elected.  
Regimental officers.  
Elected.  
Return.  
Commission.  
Warrants of rank.

SEC. 8. Companies shall meet for drill and discipline two days in each year; the first meeting to be on the first Tuesday in June, at 10 o'clock, A. M., at such place as the company commander shall fix. The other meeting to be held at such time and place as the commander of the company may designate. And when arms, ammunition or military stores have been delivered to any company, as provided in this Act, the said companies shall meet at such other times and places as may be agreed upon by a majority of said company, for drill, discipline and the inspection of arms and public property in their hands. Drill, &c.

SEC. 9. Arms, ammunition, munitions of war and military stores belonging to the State, shall be distributed under the direction of the Quartermaster General, Distribution of arms, &c.

or Acting Quartermaster General, to the commanders of companies, battalions, regiments or batteries, and when so distributed shall be and remain under the charge of such commander.

Bond.

*Provided*, That when any arms, ammunition, munitions or military stores, are delivered to any such commander, he shall make and deliver to the Quartermaster General a good and sufficient bond with sureties, to be approved by the Quartermaster conditioned for the proper use and return when required by the Quartermaster General, or other proper officers, of all such arms, ammunition, or military stores, in good order, wear, use and unavoidable loss excepted.

Ordering out militia.

SEC. 10. The Governor shall as the Commander-in-Chief of the militia, in case of alarm, insurrection, invasion or war, order out, for actual service, from time to time, as many of the militia, whether organized into companies, battalions, regiments or not, as he may think the case demands; and the militia, when so called into actual service, shall receive the same pay and subsistence as is provided for like troops in the service of the United States. The commanders of companies, battalions or regiments shall, in case of sudden invasion or insurrection, and when the life, liberty or property of the inhabitants of the State is in imminent peril, call out their respective commands, in whole or part, for the purpose of repelling any invasion, suppressing any insurrection, or preserving the lives, liberties or property of the inhabitants of this State; but in no case when troops are called out by any authority other than upon the order of the Governor, shall there be any pay or subsistence allowed, unless the necessity for such service shall first be duly shown to the satisfaction of the Adjutant General. The militia, whether organized or not, may be called out by the civil powers of the State, but in such case shall receive neither pay nor subsistence, under the provisions of this Act.

Pay and subsistence.

Enrolling.

SEC. 11. It is hereby made the duty of every person liable to perform military duty, to enroll himself as a member of some company, and to obey the orders of his commander while on drill or in the actual service; and company commanders may compel, by force, the attendance and service of any such person to suppress an insurrection or repel an invasion.

Rules & Regulations.

SEC. 12. In all cases not herein otherwise prescribed, the duties of the General and staff officers, and all other commissioned and non-commissioned officers, and all privates, shall be made to conform as nearly as practicable

able to the duties of corresponding positions in the military service of the United States; and when on drill, or when in the actual service of the State, all questions of rank and government shall be determined and made to conform so far as applicable, to the rules and regulations provided for the government of the army of the United States, and shall be determined by the Adjutant General, whose decision shall be final. Rank.

SEC. 13. Any person liable to perform military duty, who shall willfully neglect or refuse to enroll himself as a member of some organized company, for the space of sixty days after this Act takes effect or who shall willfully disobey the orders of the commander of his company, battalion or regiment, in time of insurrection or invasion, or who shall neglect or refuse to meet at the place of rendezvous, for the purpose of drill and discipline, shall be liable to pay a fine of not less than one dollar nor more than one hundred dollars, to be recovered in the name of the State of Iowa, before any civil Court, for the benefit of the School Fund. Disobedience or neglect.  
Fine.

SEC. 14. The Governor may appoint on his staff, one Adjutant General, who shall perform the duties of Inspector General, with the rank of Brigadier General; one Assistant Adjutant General, with the rank of Colonel of cavalry, and said Assistant Adjutant General shall perform the duties of Paymaster General of the State; one Quartermaster General, who shall perform the duties of Commissary General, with the rank of Colonel of Cavalry; and four Special Aids-de-Camp, with the rank of Lieutenant Colonel of Cavalry, and one Military Secretary, with the rank of Captain of Cavalry. Gov.'s Staff.

SEC. 15. The duties of the Adjutant General and Inspector General shall be as follows, to-wit: He shall issue, sign and transmit all orders of the Commander-in-Chief, relative to the carrying into execution the laws of the United States, or of this State, and perfecting the military discipline established by law. Duties of Adjutant and Inspector Gen's.

SEC. 16. He shall be charged with all the correspondence relating to the military affairs of the State, and keep a record or file of each correspondence. Correspondence.

SEC. 17. He shall keep a record of all general and special orders and regulations, and cause the same to be published whenever the Commander-in-Chief shall direct. Orders & regulations.

SEC. 18. He shall keep a roll of the commissioned officers of the Militia of the State, with their residence, Roll of officers.

rank and corps to which they belong—the number and date of their commissions and promotions.

**Books, forms and blanks.** SEC. 19. He shall provide the necessary books, forms, and blanks requisite to carry out the provisions of this Act, and the laws of this State, and distribute the same to the officers entitled thereto, upon proper requisition.

**Militia Roll.** SEC. 20. He shall make returns in duplicate of the number of Enrolled Militia, with the arms, accoutrements and ammunition, one copy of which he shall deliver to the Commander-in-Chief on or before the first day of January, and transmit the other to the President of the United States, on or before the first day of January, annually.

**Act as Quartermaster.** SEC. 21. He shall perform all the duties of the Quartermaster General until the Government deems it best for the public service, to appoint that officer.

**Keep & preserve arms, &c.** SEC. 22. The Quartermaster General shall keep in good repair, and attend to the due preservation, safe keeping, and cleaning and transportation of the ordnance, arms, accoutrements, ammunition and munitions of war, and military supplies and stores, the property of the State.

**Disposit'n of arms, &c.** SEC. 23. He shall dispose of, to the best advantage, under the direction of the Governor, all powder, arms, ammunition, accoutrements, tools, implements and warlike stores of every kind, the property of the State, that shall be deemed unsuitable for the use of the State, and from time to time, render a just and true account of all sales made by him, and shall pay the proceeds of such sales into the State Treasury.

**Report.** SEC. 24. He shall report annually, on or before the first day of January, to the Commander-in-Chief, the condition and disposition of the ordnance, with the security therefor of all arms, ammunition and other munitions of war, which appertain to his department.

**Rules & Regulations.** SEC. 25. In all cases not herein otherwise directed, the duties of general and staff officers, and all other commissioned and non-commissioned officers of the militia of this State, shall be made to conform, as nearly as possible, to the duties of the corresponding positions in the United States service; and all questions of rank and the government of the militia, while on drill or in the actual service of the State, shall be determined and made to conform, as far as applicable, and not inconsistent with this Act, to the rules and regulations provided for the government of the United States Army.

**Rank.** SEC. 26. Nothing contained within the provisions

of this Act shall be construed as fixing the compensa- Compensat'n  
tion of any officer herein named.

SEC. 27. The Adjutant General is hereby empow- Assist'nce for  
ered to employ such additional assistance in his office Adj. Gener'l's  
as may from time to time be necessary: *Provided*, Such Office.  
additional assistance shall have the approval of the  
Governor; and the Auditing Board, or other proper  
officers, is hereby directed to audit the accounts for the  
same, to be paid out of the War and Defense Fund.

SEC. 28. Chapter 17 of the Acts of the Extra Ses- Repealed.  
sion of the Eighth General Assembly; Chapter 175 of  
the Acts of the Regular Session of the Ninth General  
Assembly, and a Joint Resolution passed at the Regular  
Session of the Ninth General Assembly, approved April  
8th, 1862; Chapter 35 of the Acts of the Extra Session  
of the Ninth General Assembly, and all Acts and parts  
of Acts inconsistent with the provisions of this Act, are  
hereby repealed.

SEC. 29. This Act being deemed by the General As-  
sembly of immediate importance, shall take effect and  
be in force from and after its publication in the Iowa  
State Register and Iowa Homestead; newspapers pub-  
lished in Des Moines.

Approved March 26th, 1864.

I hereby certify that the foregoing Act was published in the Iowa  
State Register April 13th, A. D. 1864, and in the Iowa Homestead  
April 13th, A. D. 1864.

JAMES WRIGHT, Secretary of State

## CHAPTER 85.

EXECUTIVE OFFICE, RECORDS, AND SALARY OF GOVERNOR.

AN ACT to locate the Executive Office, provide for Official Re-  
cords, and to fix the Governor's Salary.

SECTION 1. *Be it enacted by the General Assembly* Office.  
*of the State of Iowa*, That the Governor shall keep  
the Executive Office at Des Moines, in which shall be  
transacted the business of the Executive Department  
of the State government, and he shall keep a Secretary  
at said office in his absence.

SEC. 2. The Governor shall cause a journal to be Journal.  
kept in the executive office, in which shall be made an