

a time and inviting sealed proposals for said loan, which shall be received and opened by them at the Metropolitan Bank in said City, where it shall be their duty to keep or have kept at all times before opening any bids a copy of this Act for public inspection with such other documents relating thereto as may be necessary and copies of said advertisements and all proposals received by them shall be filed and preserved in the office of the Auditor of State and the said agents shall not accept any but the best and highest proposals, and shall not sell bonds at less than par, unless by the written direction of the Board of Commissioners provided for in this Act or a majority of the same, but after a sale or sales of said Bonds have been made in the City of New York as authorized in this section the commissioners or a majority of them may if they deem it advisable authorize the agents to make sales of said Bonds at the then current rate in New York, but in no instance for less than the rate obtained at the last preceding sale in that city.—Sales of Bonds may be made in New York City from time to time as may in the judgment of the Commissioners be necessary upon giving the notice prescribed in this section and complying with all the conditions and restrictions of this Act.

SEC. 12. This Act being deemed of immediate importance by the General Assembly shall take effect and be in force from and after its publication in the Iowa State Register, Iowa State Journal and Commonwealth or any two of them, anything in Section 24 of the Revision of 1860 to the contrary notwithstanding.

Approved May 28th 1860.

I hereby certify that the foregoing was published in the Iowa State Register of June, 12th, and Iowa State Journal of June 7th, 1861.

ELIJAH SELLS Sec'y of State.

CHAPTER 17.

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| 2. Clerk of District Court to return list to Adjutant General. | 12, 13, 14, 15. Gov., Maj. Gen., Brigadier Gen., Col.—staff. |
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| 6. " of Reserve Militia. | 22. Companies organized by the authority of the Gov. |
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29. Governor and his staff may make rules and regulations. 30. Old Commissions annulled.
31. Musicians—Chaplains—pay of—fines &c.

MILITIA.

AN ACT to amend the Militia Law of the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be the duty of the Assessors in each County to make annually, at the time of making the general assessment, lists of the persons in their respective Townships subject to military duty under the laws of this State, and file the same duly certified in the office of the Clerk of the District Court in their proper county.

SEC. 2. It shall be the duty of the Clerk of the District Court in each county, on receipt of said lists, to make an abstract showing the number of persons subject to military duty in each Township, and the total number in his County, and forward a certified copy of the same, forthwith to the Adjutant General of the State, who shall cause the same to be filed in his office.

SEC. 3. It shall be the duty of the Adjutant General of this State, annually, on or before the first Monday in August, in each year, after the year 1861, to report to the President or War Department of the United States, the aggregate military force of this State.

SEC. 4. The said military force shall be divided into two classes, the first to be called the *Volunteer*, and the second the *Reserve Militia*.

SEC. 5. The Volunteer Militia shall consist only of those who voluntarily organize themselves into companies of not less than forty privates and non-commissioned officers, nor more than one hundred privates and non-commissioned officers, and who shall be uniformed, and shall elect officers, and assemble themselves for drill, and purposes of military discipline, not less than five nor more than ten days in each year, and who shall be furnished with arms and equipments by the State, and the first subject to call or draft into service at the requisition of the Governor. *Provided,* That upon the order of the Governor, the number of days for such drill and discipline may be extended to twenty days. *Provided,* further, no Company shall be called out or be assembled for the election of officers or for drill on the day of holding any general or special election.

SEC. 6. The Reserve Militia shall consist of those who do not organize themselves into companies as aforesaid, but shall be subject to draft, or to be called into service.

SEC. 7. Each Company shall elect by ballot, one Captain, one First Lieutenant, and one Second Lieutenant, four Sergeants and

four Corporals—and may by vote select their place for drill, and make regulations for special meetings, drill or parade.

SEC. 8. Whenever in the opinion of the Governor of this State, the public good requires, he shall, by order, direct the said volunteer companies so organized, to form into regiments of not less than five nor more than ten companies each, and to that end shall designate in such order the several companies which shall form the respective regiments, and the time and place when and where the said companies shall convene for the purpose of electing regimental officers, at which time and place the said companies shall proceed to elect by ballot one Colonel, one Lieutenant Colonel, and one Major for each Regiment.

SEC. 9. In like manner the Governor may order the organization of Regiments into Brigades and Brigades into Divisions, and the election of Brigadier and Major Generals.

SEC. 10. All elections under this Act shall be made in accordance with provisions of the Constitution of this State.

SEC. 11. All commissioned officers shall receive their commissions from the Governor. All non-commissioned officers in organized Regiments shall receive warrants of rank from the Colonel or commanding officer of their Regiment. In Companies not organized into Regiments, the Captains shall give their non-commissioned officers certificates of rank.

SEC. 12. The Governor as Commander-in-Chief may appoint as his staff one Adjutant General, who shall also perform the duties of Inspector General, with the rank of Colonel of Cavalry, one Quartermaster General, (who shall also perform the duties of Commissary General,) with the rank of Lieutenant Colonel of Cavalry, one Paymaster General with the rank of Lieutenant Colonel of Cavalry, and one Surgeon General with the rank of Major of Cavalry, and he may also appoint four aids-de-camp with the rank of Lieutenant Colonel of Cavalry, and one Military Secretary with the rank of Lieutenant of Infantry.

SEC. 13. Each Major General commanding a Division may appoint as his staff one Assistant Adjutant General and one Assistant Inspector General, each with the rank of Major of Cavalry, and two aids-de-camp having the ranks of Captain of Cavalry.

SEC. 14. Each Brigadier General commanding a Brigade may appoint as his staff, one Assistant Adjutant General, and one Assistant Inspector General, each with the rank of Captain of Cavalry and one Aid-de-camp having the rank of Lieutenant of Cavalry.

SEC. 15. The Colonel or commanding officer of each Regiment shall appoint as his staff, one Adjutant, one Quartermaster, one Paymaster, and one Commissary to said regiment, and he shall appoint all his non-commissioned staff; all of which officers shall have the same rank as the same grade of officers in the United States Army.

SEC. 16. The Governor shall appoint on the regimental staff, one Surgeon and one Assistant Surgeon, to be selected from persons previously examined and approved by a Board of Medical Examiners, consisting of three persons selected for that purpose by the Governor, one of whom shall be Professor of Surgery of the Medical Department of the Iowa State University. The sum of five dollars per day, with one half the mileage allowed by law to members of the General Assembly, shall be allowed to each of said medical examiners. The time and mileage for which compensation is hereby allowed shall be certified by the president or chairman of said Board, and upon presentation of said certificate to the Auditor, he shall draw his warrant on the Treasurer for the amount so certified as due each member of said Board of Medical Examiners, to be paid by the State Treasurer out of the War and Defense Fund.

SEC. 17. The Quartermaster General, Paymaster General, and Assistant Quartermaster Generals, and the Quartermasters, and Paymasters of Regiments shall file with the Governor satisfactory bonds for the faithful discharge of the duties of their respective offices, and upon approval by the Governor, said bonds shall be filed with the Adjutant General.

SEC. 18. The pay and allowances for all Troops (except for the staff of the Commander-in-Chief,) when called into the actual service of the State shall be the same as that of corresponding grades in the United States army.

SEC. 19. During the time employed in calling out and organizing troops for the United States service and during the time such troops remain in the actual service of this State, the Adjutant General shall be entitled to the full pay and allowances of a Colonel of Cavalry in the United States army; and at other times his salary shall be at the rate of \$300 per annum.

SEC. 20. During the time employed in calling out and organizing troops for the United States service and during the time such troops remain in the actual service of this State, the Quartermaster General shall be entitled to the full pay and allowances of a Lieutenant Colonel of Cavalry in the United States Army and at other times his salary shall be at the rate of \$200 per annum.

SEC. 21. During the time the Paymaster General shall be employed in paying troops while they remain in the actual service of the State, he shall be entitled to the full pay and allowances of a Lieutenant Colonel of Cavalry.

SEC. 22. Companies other than of the Infantry arm, to be organized under the provisions of this Act must first be authorized by special orders of the Commander-in-chief.

SEC. 23. There shall be filed and kept in the Adjutant General's office of this State, a complete roll of each of the companies organized under the provisions of this Act, and a record of the date of the organization of each company, and of the enlistment of each member thereof.

SEC. 24. Said roll shall be made annually by the Captain or commanding officer of each company on or before the first Monday in July, and a copy of the same forwarded to the Adjutant General's office of this State.

SEC. 25. A record of the date of all commissions granted under this Act shall be kept in the Adjutant General's office, and commissioned officers of the same grade shall have rank according to the date of their several commissions.

SEC. 26. The Volunteer Militia shall serve for the term of six years, unless discharged for legal disability, and shall ever afterward be free from duty in the reserve Militia except in case of war, insurrection or invasion, and shall during said service, be free and exempt from personal highway tax and from serving as jurors.

SEC. 27. Officers and members of the Volunteer Militia elected under the provisions of this Act, shall not be subject to the orders of officers of the reserve Militia.

SEC. 28. If any Assessor or Clerk of the District Court shall willfully refuse or neglect to perform the duties imposed on him or them, by this Act, he shall, on conviction, be fined in any sum, not exceeding five hundred dollars and be removed from office, and shall not thereafter hold any office of honor or profit in this State; for four years after such conviction.

SEC. 29. The Governor may make through his proper staff officers, all rules and regulations not inconsistent with the laws of this State for carrying into effect this Act, or he may appoint a Military Board, to consist of not more than five members, to adopt and report such regulations; which, after being approved by the Governor, and promulgated in orders, shall govern all concerned.

SEC. 30. All military commissions heretofore issued by any Governor of this State above the rank of Captain except commissions issued to the officers of the three Regiments organized and being organized for the service of the United States are hereby annulled.

SEC. 31. When Battalions or Regiments are placed in encampment or ordered into actual service in accordance with the provisions of this bill, there shall be allowed to each Battalion or Regiment four musicians who shall receive pay the same as musicians in the United States army and also one Chaplain to be appointed by the Colonel with the consent of the Lieutenant Colonel and Major, and said Chaplain shall receive pay at the rate of fifty dollars per month while in actual service.

Provided, that when troops are assembled only for parade and drill, punishments for the violation of the rules and regulations shall only extend to fines to be collected by the proper civil officers or imprisonment during the term for which the troops are thus assembled or to expulsion from the service.

SEC. 32. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Sec. 33. This Act being deemed by the General Assembly of immediate importance shall be in force and take effect from and after publication in the Iowa State Register and Iowa State Journal, any law of this State to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in the Iowa State Register of June 12th, and in the Iowa State Journal of June 7th, 1861.

ELIJAH SELLS Sec'y of State.

CHAPTER 18.

1. Appropriation for expenses that have been or may be incurred.
2. Payment made out of the "War and Defense Fund."
3. Warrants to issue upon certificate of the Governor.

APPROPRIATIONS FOR VOLUNTEER MILITIA.

AN ACT to appropriate money to pay expenses now or hereafter incurred by the State in calling out, organizing, uniforming, subsisting and equipping the Militia of the State, and purchasing arms and munitions of war for the State, and in complying with the present or any future requisitions of the President of the United States, for Volunteers from this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That for the purpose of defraying the expenses that have been incurred by the State in calling out, organizing, uniforming, subsisting and equipping the militia of this State, and in complying with the requisition of the President of the United States, for volunteers from this State, there be and is hereby appropriated the sum of Two Hundred Thousand Dollars or so much thereof as may be necessary for the purposes aforesaid.

Sec. 2. Any expenses which have been or may be incurred by this State under the laws thereof, including those passed at this session for the purposes set forth in the title of this Act, shall be paid out of the "War and Defense Fund," created, and arising from the sale of Bonds the issue and sale of which is authorized by an Act entitled "An act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa to enable it to repel invasion and defend itself in war." And the said "War and defense fund" or so much thereof as is or may be necessary for these purposes, be and the same is hereby appropriated and set apart for said purposes.

Any portion of the sum of Two Hundred Thousand Dollars appropriated by the first section of this Act, not expended under the provisions of said section may be applied to the purposes named in this section.

Sec. 3. All payments under this Act shall be made out of the