

A BILL

FOR AN ACT ADDITIONAL TO AND AMENDATORY OF CHAPTER ONE (1) OF TITLE ELEVEN (XI) OF THE CODE, AND THE LAW AS IT APPEARS IN CHAPTER ONE (1) TITLE ELEVEN (XI) OF THE SUPPLEMENT TO THE CODE AND CHAPTER SEVENTY-SEVEN (77) OF THE ACTS OF THE THIRTIETH GENERAL ASSEMBLY, RELATIVE TO THE STATE MILITARY FORCE AND IOWA NATIONAL GUARD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That the law as it appears in section one (1) of chapter seventy-seven (77), the laws of the Thirtieth General Assembly, be and the same is hereby amended by adding the following after the “,” following the word “state” in the third line thereof: “as organized and officered unless otherwise directed in such requisition.”

Sec. 2. That the law as it appears in section two (2) of chapter seventy-seven (77) of the laws of the Thirtieth General Assembly, be and the same is hereby amended by striking therefrom all of said section preceding and including the word “service” in the third line thereof, and substituting the following therefor: “All enlistments shall be for three years except that enlistments made within ninety days from date of discharge from the Guard, United States Army, or the organized and disciplined militia of any state, shall be considered continuous service in the Guard,”

Sec. 3. That the law as it appears in section twenty-one hundred seventy-four (2174) of the Supplement to the Code, be and the same is hereby repealed and re-enacted to read as follows: “The staff of the commander-in-chief shall consist of an adjutant-general who shall be chief of staff and acting quarter-master general, an assistant adjutant-general, a quarter-master general, who shall also act as commissary general, a surgeon general, a judge-advocate general, a general inspector of small arms practice, a chief of engineers, a chief signal officer, and seven aids; all of whom shall have served honorably in the regular or volunteer service of the United States, or for not less than one year in the Guard. The adjutant-general and assistant adjutant-general shall be appointed and commissioned by the commander-in-chief, and shall hold office until their successors are appointed and commissioned. The other officers above enumerated may at the discretion of the commander-in-chief be appointed and commissioned by him or detailed for such service from the active membership of the Guard, or their duties may be performed by United States Army officers regularly or specially

14 detailed, for service with the Guard or in the State, by the war department. The adjutant-
15 general shall have the rank of brigadier-general, and the assistant adjutant-general that of
16 colonel. All other officers above enumerated, if appointed and commissioned to such offices,
17 shall have the rank of colonel, and if detailed from the active membership of the Guard, shall
18 retain their rank in the Guard and shall not be relieved from their regular duties by reason of
19 such detail. United States Army officers, regularly or specially detailed for service with the
20 Guard or in the State, may be assigned positions on the staff with their rank in the United
21 States service or such higher rank, not above that of colonel, as the commander-in-chief may
22 designate.

Sec. 4. That the law as it appears in section three (3) of chapter seventy-seven (77) of the acts
2 of the Thirtieth General Assembly, be and the same is hereby amended by adding thereto, the
3 following:

4 "The assistant adjutant-general shall be on duty with the adjutant-general, and shall per-
5 form such duties under the direction of the adjutant-general as the commander-in-chief
6 may prescribe, and in the absence of the adjutant-general, shall perform the duties of that
7 officer as acting adjutant-general."

Sec. 5. That the law as it appears in section four (4) of chapter seventy-seven (77), of the acts
2 of the Thirtieth General Assembly, be and the same is hereby repealed and re-enacted to read as
3 follows:

4 "When requisition shall be made on the Governor of Iowa by the President of the United
5 States for troops, and during the time the Iowa troops are in the service of the United States
6 under call of the President, the salary of the adjutant-general shall be increased so that he
7 shall receive in full compensation for his services, pay and allowances equal to that of a
8 brigadier-general of the United States Army."

Sec. 6. That the law as it appears in section five (5) of chapter seventy-seven (77), of the acts
2 of the Thirtieth General Assembly, be and the same is hereby repealed and re-enacted to read as
3 follows:

4 "The Regimental staff shall be appointed and commissioned by the Governor upon recommen-
5 dation of the regimental commander, and shall consist of one major surgeon and two assistant
6 surgeons or as many as may be required for volunteer regiments in the United States Army,
7 who shall receive the approval of the surgeon-general as to their professional qualifications
8 before being commissioned, an adjutant, a quarter-master, a commissary, a chaplain, and also
9 for each battalion one adjutant and one quartermaster commissary officer, each of which
10 officers shall have the same rank as corresponding officers in the United States Army. The
11 chaplains shall have the right of promotion as provided for in the regulations of the United
12 States Army. One inspector of small arms practice may be detailed by the commanding
13 officer of each regiment from the officers of his command. The commander of each regiment

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14 shall appoint by warrant from the enlisted men of his regiment, a non-commissioned staff,
15 consisting of a regimental sergeant major, a sergeant major for each batallion, a quarter-
16 master sergeant, a commissary sergeant, two color sergeants, two mounted orderlies with
17 rank of sergeant and four orderlies not mounted, with rank of corporal, the State to
18 furnish mounts. The commissions of regimental staff officers shall expire when the officer
19 nominating them, or his successor, shall make new nominations for their respective offices,
20 and such nominations shall be confirmed by the commander-in-chief. Each regimental
21 commander, subject to the approval of the commander-in-chief may cause to be enlisted and
22 organized a band, composed of one chief musician, one principal musician, one drum major,
23 four sergeants, eight corporals, one cook and not more than sixteen privates. The enlisted men
24 of the medical department for each regiment shall consist of a first class sergeant, two
25 sergeants, one cook and twelve to fifteen privates, two-thirds of whom may be privates of the
26 first class. The members of such bands and hospital detachments except as otherwise pro-
27 vided, shall be subject to the same regulations and receive the same compensation as other
28 enlisted men of like grade. The regimental commander shall appoint the non-comissioned
29 officers of the band, and upon the recommendation of the company commanders and surgeons,
30 shall appoint the non-commissioned officers of each company and hospital detachments and
31 issue warrants to the persons so appointed.”

Sec. 7. That the law as it appears in section nine (9) of chapter seventy-seven (77), of the
2 acts of the Thirtieth General Assembly, be and the same is hereby amended by striking there-
3 from the words “not less than three nor more than ten days” after the word “drill” in the
4 fourth line thereof, and by further striking out the words “not exceeding ten days in any one
5 year for any member, except members of the general staff and those detailed upon staff duty,
6 or such other duties as the exigencies of the service require” after the word “order” in the
7 ninth line thereof.

Sec. 8. That section twenty-one hundred eighty-nine (2189) of the Code be and the same is
2 hereby repealed.

Sec. 9. That section twenty-one hundred ninety (2190) of the Code, be and the same is
2 hereby repealed and re-enacted to read as follows:

3 “All officers to whom shall be issued, or who shall be accountable for arms, equipment,
4 uniforms and any other state or United States property or military uses, or who shall have
5 the control, custody or disbursement of funds as provided for in this chapter, shall before the
6 delivery to them of such arms, equipment, uniforms, and other state or United States prop-
7 erty, and the receipt of such funds, be required to execute and deliver to the adjutant-
8 general a bond therefor, with sureties to be approved by the Governor and payable to the
9 State, in such amount as may be fixed by the commander-in-chief, conditioned according to
10 law, for the proper care, use, and return in good order, wear, use, and unavoidable loss and

11 damage excepted, of all such State and United States property, and the proper and faithful
12 disbursement and accounting of all funds coming into the hands of such officer; upon the
13 violation of any of the conditions of such bond, action thereon shall be brought by the
14 adjutant-general upon behalf of the State of Iowa, and any recovery thereon shall be credited
15 to the Guard funds of the State. It shall be the duty of the attorney-general of the State to
16 prosecute all actions upon such bonds.”

Sec. 10. That section twenty-one hundred and ninety-one (2191) of the Code, be and the
2 same is hereby repealed and re-enacted to read as follows:

3 “The commander-in-chief shall require such inspections of the different organizations of the
4 Guard, and such schools of instruction for officers and enlisted men, as he may deem proper
5 and necessary. The inspections shall be made by United States Army officers, either on regu-
6 lar or special detail with the Guard or in the State, where such officers are available for that
7 purpose, and if made by other officers, the commander-in-chief shall fix their compensation
8 therefor in the orders for such inspectors.”

Sec. 11. That section twenty-one hundred and ninety-two (2192) of the Code be and the
2 same is hereby amended by striking out the word “or” after the word “certificate” in the sec-
3 ond line and inserting in lieu thereof the word “of.”

Sec. 12. That section twenty-two hundred and one (2201) of the Code be and the same is
2 hereby amended by adding thereto the following:

3 “That the adjutant-general shall procure from the available funds at his disposal, service
4 badges for members of the Guard, as follows:

5 For five years honorable service, a “silver badge” suspended from a silver bar, and for each
6 additional five years of honorable service including twenty years, a “silver bar” with number
7 of years service enameled thereon; said bars to be attached, in their order, to the lower edge
8 of the badge. For twenty-five years or more honorable service, a “gold badge” suspended
9 from a gold bar, the design and selection of the badges and bars as above provided for, to be
10 made by a committee of officers designated by the commander-in-chief. Service badges shall
11 be the absolute property of those to whom they are awarded.”

Sec. 13. The commander-in-chief may designate the location of four regimental rifle
2 ranges, and the expenditure of the sum of two thousand dollars, or so much thereof as may be
3 necessary, is hereby allowed for the acquisition and construction thereof, such sums to be
4 expended under the direction of such officer or board of officers as the commander-in-chief may
5 direct, and the sum of two hundred dollars (\$200.00), or so much thereof as may be necessary,
6 shall be allowed annually for expenditure in like manner for the rental and maintenance of
7 each of said ranges, and the sum of one hundred dollars (\$100.00) annually, for each company,
8 or so much thereof as may be necessary, shall be allowed upon such conditions as the
9 commander in-chief may prescribe for the procurement, construction and maintenance of

10 company rifle ranges.

Sec. 14. That the law it as appears in section twenty-two hundred three (2203) of the
2 Supplement to the Code, be repealed and re-enacted to read as follows:

3 "There shall be allowed annually for postage, stationery, clerk hire and office incidentals,
4 to each regimental headquarters, each company commander, and each regimental band, the
5 sum of one hundred dollars (\$100.00); and for like purposes to the following staff officers,
6 surgeon general, general inspector small arms practice, and regimental inspector of small arms
7 practice, ten dollars (\$10.00); to be paid in semi-annual payments."

Sec. 15. That the law as it appears in section twenty-two hundred and four (2204) of the
2 Supplement to the Code, be and the same is hereby repealed and re-enacted to read as follows:

3 "There shall be allowed annually to each company and band for armory rent, lights, fuel
4 and janitor service and like necessary expenses, not to exceed the sum of six hundred dollars
5 (\$600.00), to be paid in such amounts, either in part or whole and under such regulations as a
6 board of officers appointed by the commander-in-chief shall prescribe, and approved by him.
7 There shall be allowed annually to each regimental hospital detachment for armory rent, fuel,
8 lights and like necessary expenses, the sum of one hundred dollars (\$100.00), or so much thereof
9 as may be necessary to be paid under such regulations as the commander-in-chief may pre-
10 scribe, provided that said sum shall be paid only when a majority of the detachment is located
11 at one station under the command of a medical officer, who shall, at least twice a month, con-
12 duct drills of the detachment."

Sec. 16. That the law as it appears in section twenty-two hundred and eleven (2211) of the
2 Supplement to the Code, be and the same is hereby amended by inserting the words "five
3 hundred" after the word "thousand" in the third line thereof, and by further inserting the
4 words "the assistant adjutant general shall receive an annual salary of one thousand five
5 hundred dollars" after the word "peace" in the fourth line thereof.

Sec. 17. That the law as it appears in section eleven (11) of chapter seventy-seven (77) of
2 the laws of the Thirtieth General Assembly, be and the same is hereby amended by inserting
3 the word "forage" after the word "subsistence" in line eleven thereof; and by adding to said
4 section, the following: "When on duty on rifle practice, range competition, or schools of
5 instruction, officers shall receive such compensation or allowances as the commander-in-chief
6 shall designate in orders with reference thereto."

Sec. 18. That the law as it appears in section thirteen (13) of chapter seventy-seven (77) of
2 the acts of the Thirtieth General Assembly, be and the same is hereby amended by striking
3 therefrom the word "seventy" in the fifth line thereof and inserting in lieu thereof, the words
4 "one hundred"; and by striking therefrom, the figures "\$70,000.00" from the brackets in the
5 fifth line thereof, and inserting in lieu thereof, the figures "\$100,000.00."

Sec. 19. This act, being deemed of immediate importance, shall take effect and be in force

- 2 from and after its publication in the "Register and Leader" and the "Des Moines Daily Capital",
- 3 newspapers published in the city of Des Moines, Iowa.