

Publication
clause.

SEC. 2. This act being deemed of immediate importance shall take effect on and after its publication in the Iowa State Register and Des Moines Leader.

Approved April 16, 1892.

I hereby certify that the foregoing act was published in the *Des Moines Leader*, April 19, and the *Iowa State Register*, April 27, 1892.

W. M. MCFARLAND, *Secretary of State*.

CHAPTER 31.

MILITARY CODE AND NATIONAL GUARD.

S. F., 183. AN ACT to Amend the Military Code and to increase the efficiency of the National Guard.

Be it enacted by the General Assembly of the State of Iowa:

Section 3,
chapter 74,
eighteenth
general assem-
bly repealed.

SECTION 1. That section 3, chapter 74, laws of the eighteenth general assembly, be repealed, and that there be enacted in lieu thereof the following: When a requisition shall be made by the president of the United States for troops, the governor, as commander-in-chief, by his proclamation shall order out for service the active militia or national guard of the state, or such portion thereof as may be necessary. If the number is insufficient he shall order out the remainder of the militia, or such portion thereof as may be necessary, designating the same by draft, if a sufficient number shall not volunteer, and may organize the same, and commission officers therefor; and when so ordered out for service, the militia shall be subject to like regulations, and receive from the state like compensation and subsistence, as are prescribed by law for the army of the United States.

Requisition by
president.

Number insuf-
ficient.

Draft.

Compensation

Chapter 74,
eighteenth
general assem-
bly repealed.

SEC. 2. That section 9, chapter 74, laws of the eighteenth general assembly, as amended by chapter 65, laws of the twentieth general assembly, be repealed, and that there be enacted in lieu thereof the following: The active militia shall be designated "The Iowa National Guard," and shall be recruited by volunteer enlistments, and shall consist of four regiments of infantry, and at the discretion of the commander-in-chief, of two batteries of artillery and two troops of cavalry, and such other officers and enlisted men as are hereinafter prescribed.

The Iowa Na-
tional Guard.

How consti-
tuted.

Section 10,
chapter 74,
eighteenth gen-
eral assembly
repealed.

Brigades.

SEC. 3. That section 10, chapter 74, laws of the eighteenth general assembly, be repealed, and that there be enacted in lieu thereof the following: The Iowa National Guard shall be organized into not more than two brigades, each to be

commanded by a brigadier-general. The commander-in-chief shall assign all regiments, battalions and companies to such brigades as he shall think proper. All enlistments therein shall be for three years, and re-enlistments for one, two or three years as the soldier may elect, and made by signing enlistment papers prescribed by the adjutant-general, and taking the following oath or affirmation, which may be administered by the enlisting officer, to-wit: "You do solemnly swear (or affirm) that you will bear true allegiance to, and that you will support the constitution of the United States and the State of Iowa, and that you will serve the state of Iowa faithfully in its military service for the term of three (one or two) years, unless sooner discharged or you cease to become a citizen thereof; that you will obey the orders of the commander-in-chief and such officers as may be placed over you, and the laws governing the military forces of Iowa, so help you God."

Enlistment for three years.

Form of oath.

SEC. 4. That section 11, chapter 74, laws of the eighteenth general assembly, be repealed, and that there be enacted in lieu thereof the following: The staff of the commander-in-chief shall consist of an adjutant-general, a quartermaster-general, an inspector-general, a commissary-general, a surgeon-general, a judge-advocate general, a general inspector of small arms practice, a chief of engineers, a chief signal officer, an assistant adjutant-general, a military secretary and such other officers as he may think proper to appoint. The adjutant-general shall rank as a major-general. He shall issue and transmit all orders of the commander-in-chief, with reference to the militia or military organizations of the state, and shall keep a record of all officers commissioned by the governor, and of all general and special orders and regulations, and of all such matters as pertain to the organization of the state militia and the duties of an adjutant-general, and except in times of war or public danger, he shall perform the duties of quartermaster-general, as required by law. He shall have charge of the state arsenal and grounds, and shall receive and issue all ordnance stores and camp equipage on order of the commander-in-chief. He may appoint, with the approval of the governor, an ordnance-sergeant, at a salary of not more than \$500.00 per year, who shall under the direction of the adjutant-general, take charge of the state arsenal and grounds, and shall aid and assist him in the discharge of his duties. He shall furnish at the expense of the state, such blanks and forms as shall be approved by the commander-in-chief. He shall also on or before the first day of December next preceding the regular session of the general assembly, and at such other times as the governor shall require make out a full and detailed account of all the transactions of his office, with the expense of the same for the preceding two

Section 11, chapter 74, eighteenth general assembly repealed.

Staff of the commander-in-chief.

Duties of adjutant-general.

Acting quartermaster-general

Custodian of state arsenal.

Ordnance sergeant.

Biennial report

Residence. Salary.	years, and such other matters as shall be required by the governor. He shall reside at the state capital and shall hold his office during the pleasure of the governor, and shall receive for his services \$1,500.00 per year.
Section 12, chapter 74, eighteenth general assembly repealed.	Sec. 5. That section 12, chapter 74, laws of the eighteenth general assembly, be repealed, and that there be enacted in lieu thereof the following: The commander of each brigade shall be elected by the officers and enlisted men thereof; and shall hold his office for five years, or until removed by court martial or resignation. On recommendation of the brigade commander, the governor shall appoint and commission the
Brigade commander.	brigade staff, as follows: Assistant adjutant-general with rank of lieutenant-colonel; surgeon, with rank of lieutenant-colonel, assistant inspector-general, with rank of major; judge advocate, with rank of major, inspector of small arms practice, with rank of major; engineer and signal officer, with rank of major; quarter-master, with rank of captain; commissary, with rank of captain, and two aides-de-camp, with rank of first lieutenant; and such other officers as the commander-in-chief may think proper. The brigade commander of each brigade shall appoint by warrant, countersigned by the assistant adjutant general, such non-commissioned staff officers as the commander-in-chief may think proper, and may enlist two men to serve as orderlies.
Brigade staff. Rank.	Sec. 6. That section 13, chapter 74, laws of the eighteenth general assembly, as amended by chapter 65, laws of the twentieth general assembly be repealed and that there be enacted in lieu thereof the following: A regiment shall consist of not less than eight nor more than twelve companies. The field officers of each regiment shall be elected by the officers and enlisted men thereof, and shall hold their offices for five years, or until removed by court-martial or resignation. The commander-in-chief shall have the power at any time to change the organization of regiments, battalions or companies, so as to conform more nearly to the organization that now is or may hereafter be prescribed by the United States army. The regimental staff shall be appointed and commissioned by the governor on recommendation of the regimental commander. The regimental staff shall consist of a surgeon; with rank of major; adjutant, with rank of captain; inspector of small arms practice, with rank of captain; assistant surgeon, with rank of captain; chaplain, with rank of captain; quartermaster, with rank of first lieutenant; or such officers as the commander-in-chief may think proper to appoint. The commander of each regiment shall appoint by warrant countersigned by the adjutant, the non-commissioned staff consisting of a sergeant-major, quarter master sergeant, commissary sergeant hospital steward, color sergeant, ordnance sergeant, drum major, principal
Non-commissioned staff officers appointed.	
Section 13, chapter 74, eighteenth general assembly repealed.	
Size of regiments.	
Election of field officers.	
Regimental and battalion staff appointed	
Rank.	
Non-commissioned regimental staff.	

musician, chief trumpeter, or such non-commissioned staff officers as the commander-in-chief may prescribe. The commissions of all staff officers shall expire when the officer nominating them or his successor shall make new nominations for their respective offices, and such nominations shall be confirmed by the commander-in-chief.

Expiration of commissions.

Sec. 7. That section 14, chapter 74, laws of the eighteenth general assembly be repealed and that there be enacted in lieu thereof the following: The adjutant-general may cause to be organized and enlisted a band which shall be composed of a chief musician, a drum major, and not more than thirty-six musicians, under the leadership of such chief musician, and shall be under the command of the adjutant-general for such military duty as the commander-in-chief may direct. Each regimental commander may cause to be organized and enlisted a band, under the leadership of the principal musician of his command, not to exceed twenty in number who shall be subject to the orders of such leader, and shall be under the command of such regimental commander. The members of such bands shall be subject to the same regulations as are prescribed for other enlisted men.

Section 14, chapter 74, eighteenth general assembly repealed.

Bands organized by adjutant-general.

Regimental band.

Sec. 8. That section 15, chapter 74, laws of the eighteenth general assembly, be repealed and that there be enacted in lieu thereof the following: A company shall consist of a captain, a first lieutenant, a second lieutenant, five sergeants, four corporals, two musicians, and not less than forty nor more than sixty-four privates and non-commissioned officers. A company of cavalry or artillery shall have, in addition to these officers a commissary sergeant, a quartermaster sergeant and a saddler sergeant. Company officers shall be elected by members of the company, and shall hold their offices for five years. All non-commissioned officers of companies on recommendation of their captains shall be appointed by the warrant of the regimental commander, countersigned by the adjutant. All elections of line officers shall be ordered by the regimental commander. All elections of field and general officers shall be ordered by the commander-in-chief. The orders for such elections shall be sent to the commanding officer of the company in which said election is ordered, who shall in turn issue his special order for such election, giving at least six day's notice thereof, posting said order in three public places accessible to the members of his command and where practicable the same shall be published in one or more newspapers in the county where said company is located. All voting shall be by ballot, and no voting by proxy shall be legal; and a majority of all votes cast shall be necessary to elect. The senior officer present at such election shall preside. The returns of elections, properly attested shall be made promptly within five days from the date of

Section 15, chapter 74, eighteenth general assembly repealed.

Company officers.

Additional cavalry officers

Officers' election and term.

Election of line officers.

Field and general officers elected.

Form of election.

Election returns.

<p>Organization of a new company; election.</p> <p>Section 17, chapter 74, eighteenth general assembly repealed.</p> <p>Held for duty unless discharged.</p> <p>Commencement of term.</p> <p>Full term service entitles honorable discharge.</p> <p>Section 21, chapter 74, eighteenth general assembly repealed.</p> <p>Annual parade and encampment.</p> <p>Compensation allowed.</p> <p>Compensation: amount of.</p> <p>Transportation</p> <p>Subsistence.</p> <p>Rations defined</p> <p>Detailed for special duty.</p>	<p>election, to the commanding officer of the regiment who shall promptly forward the result of said election to the brigade commander who shall report the same to the adjutant-general of the state, by whose approval the commander-in-chief will issue commissions accordingly; <i>Provided</i>, That at the organization of a new company the election shall be conducted under such regulations as the adjutant-general shall prescribe.</p> <p>SEC. 9. That section 17, chapter 74, laws of the eighteenth general assembly be repealed, and that there be enacted in lieu thereof the following. Every officer and soldier of the Iowa National Guard shall be held to duty for the full term of his commission or enlistment, unless regularly discharged for good and sufficient cause by the commandant of his regiment, approved by the commander-in-chief; <i>provided</i>, that said term shall in all cases commence from the time such officer or soldier shall have become an active member of any band, company, regiment or brigade organized or commissioned under the laws of this state and now belonging thereto. All persons serving the full term for which they are commissioned or enlisted in the National Guard shall on application, be entitled to an honorable discharge, exempting them from military duty except in time of war or public danger.</p> <p>SEC. 10. That section 21, chapter 74, laws of the eighteenth general assembly, as amended by chapter 65, laws of the twentieth general assembly, be repealed, and that there be enacted in lieu thereof, the following; The Iowa National Guard may parade for encampment or drill not less than three nor more than ten days annually by company, battalion, regiment or brigade as ordered by the commander-in-chief. And for the time spent in such encampment or drill, compensation to be paid under such provisions as the commander-in-chief may direct and graded according to length of continuous service in the Iowa National Guard shall be allowed as follows: To each officer and soldier of less than three years continuous service \$1.00 per day; to each officer and soldier of more than three and less than five years continuous service \$1.50 per day; to each officer and soldier of more than five years continuous service \$2.00 per day. The quartermaster-general shall provide transportation to and from all such parades or encampments. The commissary-general, under the direction of the commander-in-chief shall provide the subsistence for all forces so encamped, such subsistence to conform as near as practicable to the ration prescribed by the general regulations of the army of the United States, and to be issued in kind.</p> <p>SEC. 11. The commander-in-chief may, whenever the exigencies of the public service require it, detail any officer or soldier for special duty, and expenses and proper compensation therefor may be paid under such provisions as the commander-in-chief may prescribe.</p>
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SEC. 12. That section 25, chapter 74, laws of the eighteenth general assembly be repealed, and that there be enacted in lieu thereof the following: such inspections and schools of instruction for officers and non-commissioned officers of the Iowa National Guard shall be held as the commander-in-chief may from time to time direct.

Section 25, chapter 74, eighteenth general assembly repealed.
Schools of instruction.

SEC. 13. That section 27, chapter 74, laws of the eighteenth general assembly be repealed, and that there be enacted in lieu thereof the following: The Iowa National Guard shall adopt the uniform of the army of the United States, subject to such modifications as shall be prescribed by the commander-in-chief.

Section 27, chapter 74, eighteenth general assembly repealed.
Uniform.

SEC. 14. That section 35, chapter 74, laws of the eighteenth general assembly be repealed, and that there be enacted in lieu thereof the following: An examining board of three or more competent officers appointed by the commander-in-chief shall convene at such times and places as he shall direct, whose duty it shall be to examine the capacity, qualifications, propriety of conduct and efficiency of all commissioned officers, who shall be ordered before it; and upon the report of said board if adverse to such officer, and if approved by the commander-in-chief, the commission of such officer shall be vacated: *provided*, always, that no officer shall be eligible to sit on such board whose rank or promotion would in any way be affected by the proceedings; and two members at least shall be of equal or superior rank with the officer examined; and if any officer shall refuse to report himself when directed before such board the commander-in-chief may, upon the report of such refusal, by his commander declare his commission vacated.

Section 35, chapter 74, eighteenth general assembly repealed.
Examining board appointed
Duties of board

Eligibility of members of board.

SEC. 15. That section 38, chapter 74, laws of the eighteenth general assembly be repealed, and that there be enacted in lieu thereof the following: Uniforms in kind may be issued by the state under such provisions as the commander-in-chief may direct, or, in lieu of uniforms being furnished in kind by the state there shall annually be paid to each officer and soldier having complied with sections twenty-eight or thirty-seven the sum of four dollars to be paid under such provisions as the commander-in-chief may direct, but in no event shall the state be liable for the payment of any money in lieu of uniforms, or for any purpose contemplated by this act, unless such payment can be made without exceeding the annual appropriation provided by this act.

Section 38, chapter 74, eighteenth general assembly repealed.

Uniforms designated by commander-in-chief.

No money paid in lieu of uniforms.

SEC. 16. That section 39, chapter 74, laws of the eighteenth general assembly be repealed, and that there be enacted in lieu thereof, the following: All uniforms and other military property shall belong to the state and be used for military purposes only, and each officer and soldier upon receiving a discharge or otherwise leaving the military service of the state,

Section 39, chapter 74, eighteenth general assembly repealed.

Uniforms the property of the state.

or upon demand of his commanding officer shall forthwith surrender the said uniforms, together with all other articles of military property that may be in his possession to said commanding officer.

Section 41, chapter 74, eighteenth general assembly repealed.

Allowance for band, rent, fuel and lights.

Section 46, chapter 74, eighteenth general assembly repealed.

"Soldier" and "company" defined.

\$10,000 additional appropriation.

How drawn.

Publication clause.

SEC. 17. That section 41, chapter 74, laws of the eighteenth general assembly be repealed, and that there be enacted in lieu thereof the following: There shall be allowed annually to each company and band for armory rent, fuel, lights, and like necessary expenses, the sum of one hundred dollars (\$100.00).

SEC. 18. That section 46, chapter 74, laws of the eighteenth general assembly be repealed, and that there be enacted in lieu thereof the following: In this chapter the word "soldier" shall include musicians and all persons in the National Guard or militia when called into service except commissioned officers, and the word "company" shall include battery and troop.

SEC. 19. For the purpose of carrying out the provisions of chapter 74, laws of the eighteenth general assembly as amended by chapter 65, laws of the twentieth general assembly, and as herein further amended, there is hereby made the additional appropriation of \$10,000.00 per annum or so much thereof as may be necessary out of any money in the state treasury not otherwise appropriated, and all warrants against said appropriation shall be drawn by the auditor of state upon the state treasurer upon the certificate of the adjutant-general approved by the governor.

SEC. 20. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved March 30, 1892.

I hereby certify that the foregoing act was published in the Iowa State Register, April 2, and the Des Moines Leader, March 31, 1892.

W. M. McFARLAND, Secretary of State.

CHAPTER 32.

LOAN OF ARMS TO MILITARY SCHOOLS.

S. F. 375.

AN ACT to authorize the loan of certain arms and accoutrements to Military Schools and Colleges in the State of Iowa.

Be it enacted by the General Assembly of the State of Iowa:

Adjutant-general authorized to loan arms to schools.

SECTION 1. That subject to such restrictions and limitations as the Governor may direct, the Adjutant General be authorized to loan the surplus arms and accoutrements belonging to