

for indexing therein each transfer of deeds and mortgages, and other instruments, the same to be paid by the person presenting the same for filing, for recording or discharging an instrument on the margins of records, and shall make abstracts for persons demanding the same.

Sec. 2. This act shall take effect and be in force from and after its passage and approval.

Approved April 25, 1907.

CHAPTER 443—S. F. No. 623.

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An Act to conform the organization of the national guard to that prescribed for the regular and volunteer armies of the United States; amending the provisions of the military code relative to inspection and other allowances, repealing section 1073 of the Revised Laws of 1905, and fixing the term of the adjutant general.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. That sections 1050, 1052 and 1053 of the Revised Laws of Minnesota, 1905, as amended by chapter 225, General Laws of Minnesota for the year 1905, be, and the same are hereby further amended to read as follows:

"1050. Brigade—how composed—minimum numbers.—The brigade shall consist of one brigadier general, one assistant adjutant general and one surgeon, each ranking as major; one assistant inspector general, one brigade quartermaster, one brigade judge advocate, one commissary of subsistence, one inspector of small arms practice, one ordnance officer and one aid-de-camp, all ranking as captains; three regiments of infantry and one corps or battalion of field artillery. The minimum membership of a company or battery shall be such as may be fixed by the President of the United States under authority of congress."

"1052. Same—battalions and companies.—Each infantry battalion shall consist of the major assigned thereto, one battalion adjutant with the rank of first lieutenant, one battalion quartermaster and commissary with the rank of second lieutenant, one battalion sergeant major, and not less than three nor more than four companies, each with a

captain, a first and second lieutenant, a first sergeant, a quartermaster sergeant, four sergeants, six corporals, two cooks, two musicians and not more than fifty-seven privates."

"1053. **Artillery—batteries—engineers.**— The corps or battalion of field artillery shall be composed of one major, one adjutant, ranking as captain, one quartermaster and commissary, one artillery engineer, one ordnance officer, and one assistant surgeon, each with the rank of first lieutenant, one veterinarian, one sergeant major, one quartermaster sergeant, one commissary sergeant, one chief trumpeter; not less than two nor more than three batteries, or in lieu of the third battery a company of engineers; also a hospital corps, to consist of one sergeant, first class, one sergeant, one corporal, and not to exceed four privates, first class. Each battery of field artillery shall consist of one captain, two first lieutenants, two second lieutenants, one first sergeant, one quartermaster sergeant, one stable sergeant, one chief mechanic, six sergeants, twelve corporals, four mechanics, three cooks, two musicians, and not more than 102 privates. The company of engineers shall be composed of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, six corporals, two cooks, two musicians, not more than twenty-nine privates first class, and not to exceed twenty-eight privates second class."

Sec. 2. That sections 1071, 1088 and 1902, of the Revised Laws of Minnesota, 1905, be, and the same are hereby amended to read as follows:

"1071. **United States uniform adopted—changes—issued by State**—The uniform of the national guard shall be the same as that prescribed for the United States army, except that the letters "U. S." shall be omitted from buttons and collar, and the insignia of the state substituted therefor. Changes in such uniform may be made by order of the governor upon the recommendation of five officers appointed by him to consider and report thereon. Uniforms, overcoats and the other clothing and equipage necessary or proper for any required service shall be provided by the state for all organizations of the guard having the minimum of enlisted men required in section 1088. They shall be issued annually by the adjutant general in proportion to the number of officers and men reported by the inspecting officer as entitled to the per capita allowance in each organization.

“1072. Same—distribution and return—forfeiture.—The commanding officer of a company or battery receiving clothing or equipage so issued for the use of his command shall distribute the same as he deems proper, taking receipts, and requiring the return of each article at such time and place as he shall direct. Every person failing to comply with such directions shall forfeit not to exceed double the price of the article withheld, which forfeiture the commanding officer may recover in a civil action. All sums so collected shall be paid into the state treasury, and added to the current appropriation for the support of the guard.

The proceeds of the sale or transfer of condemned and other military property shall be turned over to the state auditor and by him placed to the credit of the national guard fund to be used, under the direction of the adjutant general, in the purchase of similar property, or for other necessary expenses of the service.”

“1088. Per capita allowance—military fund.—The state shall pay annually to the officers hereinafter specified \$7 for each officer, non-commissioned officer, musician and other enlisted men of their respective organizations reported by the inspecting officer as fully uniformed and equipped. Said money shall be known as the military fund, and shall be used only for the purchase of uniforms, care of armories, and other necessary expenses of the regiment, company or battery. But no such payments shall be made on account of any company or battery whose number, present at the inspection or satisfactorily accounted for, was below forty-six officers and enlisted men, or which had been mustered within thirty days before the inspection, or had held fewer than the required number of drills; nor on account of any company officer or man not mustered at least thirty days before the inspection, or who has not drilled on an average of at least twice a month during his membership, exclusive of camp duty and active service. Such payments on account of a company or battery shall be made to its commanding officer; on account of the brigade commander and his staff, to the general in command; on account of the field and staff, non-commissioned staff, band and medical corps, to the respective commanding officers of the regiments and corps or battalion of artillery. All such payments shall be made upon the requisition of the officer entitled to receive the same, approved by the adjutant general. Any balance of said funds shall be

paid over by the officer receiving it to his successor. ('97 c. 118 ss 113-115)."

"1092. **Pay of officers—allowances.**—Every commissioned officer of the national guard, not salaried, shall receive from the state, while engaged in any service ordered by the governor, pay and allowances at the rate paid or allowed by law to officers of similar rank in the United States army. There shall also be paid annually to officers in actual command of troops, for incidental expenses, the following sums: To the brigade commander, one hundred dollars; to the commanding officer of each regiment, two hundred and fifty dollars; to the corps or battalion of artillery, one hundred and fifty dollars; to the commanding officer of each company and battery, the assistant adjutant general of the brigade, each regimental adjutant and the adjutant of the corps or battalion of artillery, one hundred dollars.

Sec. 3. That section 1073, of the Revised Laws of Minnesota, be, and the same is hereby repealed.

Sec. 4. The adjutant general shall be appointed and commissioned for a term of six years and until his successor has qualified. The first term hereunder shall commence the first Monday in January, 1907. Vacancy may be caused by resignation, or he may be removed for disability or for cause, to be determined by court martial under the provision of section 1097, Revised Laws of Minnesota for 1905.

Sec. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 25, 1907.