

HOUSE No. 1085.

[House, No. 1052, as passed to be engrossed]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred.

AN ACT

To increase the Efficiency of the Militia.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section twenty-six of chapter
2 three hundred and sixty-seven of the acts of the
3 year eighteen hundred and ninety-three is hereby
4 amended by striking out all to and including the
5 word "drummers," in the thirteenth line, and in-
6 serting in place thereof the following:—Sec-
7 tion twenty-six. To each regiment of infantry
8 there shall be one colonel, one lieutenant colonel,
9 three majors, and a staff to consist of one surgeon
10 with the rank of major; one regimental adjutant,

11 one quartermaster, one paymaster who shall be
12 the mustering officer, and one assistant surgeon,
13 each with the rank of captain; one assistant sur-
14 geon, one inspector of rifle practice, one commis-
15 sary of subsistence, and three battalion adjutants,
16 each with the rank of first lieutenant; and one
17 chaplain. There shall also be a non-commis-
18 sioned staff, as follows: one regimental sergeant
19 major, one quartermaster sergeant, one commissary
20 sergeant, one paymaster sergeant, one hospital
21 steward, one drum major, one chief bugler, and
22 three battalion sergeant majors, who shall hold
23 the same relative rank attached to similar posi-
24 tions in the United States army. There shall also
25 be allowed to each regiment, two color sergeants,
26 one orderly to rank as private, and sixteen drum-
27 mers to be enlisted and mustered as drummers, —
28 so as to read as follows: —

29 *Section 26.* To each regiment of infantry there
30 shall be one colonel, one lieutenant colonel, three
31 majors, and a staff to consist of one surgeon with
32 the rank of major; one regimental adjutant, one
33 quartermaster, one paymaster who shall be the
34 mustering officer, and one assistant surgeon, each
35 with the rank of captain; one assistant surgeon,
36 one inspector of rifle practice, one commissary of
37 subsistence, and three battalion adjutants, each
38 with the rank of first lieutenant; and one chaplain.
39 There shall also be a non-commissioned staff as
40 follows: one regimental sergeant major, one
41 quartermaster sergeant, one commissary sergeant,
42 one paymaster sergeant, one hospital steward, one

43 drum major, one chief bugler, and three battalion
44 sergeant majors, who shall hold the same relative
45 rank attached to similar positions in the United
46 States army. There shall also be allowed to each
47 regiment two color sergeants, one orderly to rank
48 as private, and sixteen drummers to be enlisted and
49 mustered as drummers. To each separate battalion
50 of cavalry there shall be one major, and a staff to
51 consist of one surgeon, with the rank of major, one
52 adjutant, one quartermaster, one paymaster, who
53 shall be the mustering officer, one inspector of
54 rifle practice and one assistant surgeon, one
55 veterinary surgeon, each with the rank of
56 first lieutenant, and one chaplain. There shall
57 also be a non-commissioned staff as follows:
58 one sergeant major, one quartermaster sergeant,
59 one hospital steward, one chief bugler and two
60 guidon sergeants. To each separate battalion of
61 artillery there shall be one major, and a staff to
62 consist of one surgeon with the rank of major,
63 one adjutant, one quartermaster, one paymaster,
64 who shall be the mustering officer, and one assist-
65 ant surgeon, one veterinary surgeon, each with
66 the rank of first lieutenant, and one chaplain, and
67 whenever a vacancy shall occur in the position of
68 assistant surgeon of the battalion of artillery or
69 the battalion of cavalry, the office of said assistant
70 surgeon shall be abolished. There shall also be a
71 non-commissioned staff as follows: one sergeant
72 major, one quartermaster sergeant, one hospital
73 steward, one chief bugler and two guidon ser-
74 geants.

1 SECTION 2. To each regiment of heavy artil-
2 lery there shall be one colonel, one lieutenant
3 colonel, three majors, and the staff, non-commis-
4 sioned staff, headquarter attaches and drummers
5 prescribed for a regiment of infantry, except that
6 in addition to the staff and non-commissioned
7 staff officers specified in section one of this act
8 there shall be allowed to each regiment of heavy
9 artillery the additional staff officers provided for
10 in section five of chapter three hundred and
11 forty-eight of the acts of the year eighteen hun-
12 dred and ninety-eight.

1 SECTION 3. There shall be allowed to each com-
2 pany of infantry, battery of heavy artillery, battery
3 of light artillery, troop of cavalry, signal and am-
4 bulance corps, in addition to the officers and men
5 now provided for by law, one quartermaster
6 sergeant, wherever one is not already prescribed,
7 to rank next after the first sergeant, and one chief
8 cook, to rank as corporal, and to each company
9 of the naval brigade one cook, first class. Com-
10 pany quartermaster sergeants and chief cooks
11 shall be appointed and reduced as prescribed by
12 law for other non-commissioned officers, and all
13 chief cooks shall be examined as to their qualifica-
14 tions for the position in such manner as the com-
15 mander-in-chief shall direct, before receiving their
16 warrants.

1 SECTION 4. There shall be allowed and paid
2 to chief cooks, and in the naval brigade to cooks,

3 first class, for the duty required in sections ninety-
4 eight, ninety-nine, one hundred and six, one hun-
5 dred and seven, and one hundred and fourteen of
6 chapter three hundred and sixty-seven of the acts
7 of the year eighteen hundred and ninety-three,
8 the sum of four dollars per day: *provided, how-*
9 *ever,* that it shall be certified and made to appear,
10 in such form as the commander-in-chief shall pre-
11 scribe, that in each case the duty of superintend-
12 ing and assisting in the preparation of the food
13 of the company was actually performed by the
14 chief cook in person, during the tour of duty or
15 day of duty for which he is returned for pay;
16 otherwise he shall receive the pay prescribed for
17 other enlisted men of like grade. For duty other
18 than that hereinbefore mentioned, a chief cook
19 shall receive the pay and allowances prescribed
20 for other enlisted men of like grade.

1 SECTION 5. Officers designated in section fifty-
2 eight of chapter three hundred and sixty-seven of
3 the acts of the year eighteen hundred and ninety-
4 three, as recruiting officers of the several corps
5 and commands of the volunteer militia shall also
6 be competent mustering officers for mustering in
7 and administering the prescribed oath of enlist-
8 ment to all soldiers enlisted by them. Mustering
9 officers shall forward to the commander-in-chief,
10 through the proper military channels, the returns
11 of the enlistment and muster in of soldiers as
12 soon as practicable, and not later than ten days
13 thereafter. Said returns shall be in such form,

14 and accompanied by such certificates, descriptive
15 lists and other information relating to the recruit,
16 as may be required by law or prescribed in orders
17 by the commander-in-chief. But no recruit shall
18 be knowingly and intentionally accepted who is
19 not eligible for enlistment under the law, or who
20 is physically or otherwise below the standard pre-
21 scribed by the commander-in-chief; and no recruit
22 shall be accepted contrary to the provisions of
23 section sixty one of the act cited at the beginning
24 of this section; and no recruit, having been ac-
25 cepted, shall be mustered into the service until
26 all the requirements of the statute law of the
27 militia regulations and of all proper orders re-
28 lating to the enlistment and muster in of soldiers
29 have been complied with.

1 SECTION 6. First sergeants shall be appointed
2 by the permanent company, battery, troop or
3 corps commanders, without reference to higher
4 authority, from the duty sergeants of their respec-
5 tive organizations, and may be, by said permanent
6 company, battery, troop or corps commanders,
7 returned to the grade of duty sergeant at any
8 time, and without the restrictions imposed by sec-
9 tion six of chapter four hundred and forty-eight
10 of the acts of the year eighteen hundred and
11 ninety-seven. First sergeants shall be appointed
12 and returned to the grade of duty sergeant by a
13 company order, a copy of which shall be forwarded
14 at once to regimental headquarters; and the rela-
15 tive seniority of first sergeants shall be determined

16 by the dates of the orders appointing them. Sec-
17 tion fifty-five of chapter three hundred and sixty-
18 seven of the acts of the year eighteen hundred
19 and ninety-three, and other acts and parts of acts
20 now in force, relating to the appointment and re-
21 duction of non-commissioned officers in the volun-
22 teer militia, are hereby repealed in so far as they
23 relate to the appointment and reduction or re-
24 moval of first sergeants, and are inconsistent with
25 this act.

1 SECTION 7. This act shall take effect upon its
2 passage.

HOUSE OF REPRESENTATIVES, Mar. 12, 1900.

- Passed to be engrossed.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

