
General Orders and Circulars

ADJUTANT-GENERAL'S OFFICE,
DIVISION NATIONAL GUARD,
AND NAVAL MILITIA,

OF THE

STATE OF NEW YORK

DECEMBER 31, 1910

Errors and omissions should be reported immediately to The Adjutant-General of the State.

Only the highest brevet rank is given, and that only when the officer has not attained the full rank.

General Headquarters, State of New York,
The Adjutant-General's Office

INDEX

TO

General Orders and Circulars

1910

General Orders, Nos. 1 to 52, Inclusive
Circulars, Nos. 1 to 53, Inclusive

INDEX

TO GENERAL ORDERS AND CIRCULARS. THE ADJUTANT-GENERAL'S OFFICE, S. N. Y.

1910.

	A.	G. O.	Par.
Accounts, military		45	1, 2, 3
Adjutant-General's department, appointments.....		1	
Aides, detailed		41	2
Allowance, per diem, coast defense exercises.....		21	2
Allowances, horseshoes and horseshoe nails.....		14	2
Amendments:			
general orders, 66, s. 108, par. 1.....		13	2
62, 1909		16	
62, 1909, par 1.....		1	2
70, 1909, par 2.....		19	
70, 1909, par. 4.....		8	2
70, 1909, par. 5.....		8	3
15, 1910		42	
Military Law, ch. 36, consolidated laws..		22	
sec. 188, ch. 41, Laws 1909.		9	
Regulations, pt. II.....		2	
small arms firing.....		49	
.....		52	2
Ammonium solution for rifle barrels.....	Cir. 33		
Ammunition, field artillery, annual allowance.....		6	
small arms practice, requisition.....		12	6
Annual inspection, schedule of dates.....		50	
Appointments		1	
.....		7	
.....		20	
.....		34	
governor		41	1
naval militia		1	
.....		7	
.....		20	
.....		34	
Verbeck, William, The Adjutant-General ...		31	
Armories, laborers, (M. L.).....		9	
moneys for use of.....		43	
Armory employees, judge-advocate, opinion...	Cir. 31		
Arms for organized militia.....	Cir. 19		
Assignments			7
temporary, coast artillery reserve, organi- zations for instruction, drill, etc.	Cir. 21		
Attorney-General, opinion	Cir. 27		

8 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

	B.	G. O.	Par.
Bates, William G., appointed member militia council..		39	1
Battalion, field artillery, enlisted strength.....		10	
Batteries, field artillery, enlisted strength.....		19	2
Board for the revision of s. a. firing regulations, recommendation		12	
Boards of examination, coast artillery corps.....		44	8-15
regulations.....		44	18
Brevets		1	
.....		7	
.....		20	
.....		34	
Bulletin of Militia Notes.....	Cir. 2		
.....	Cir. 5		
.....	Cir. 10		
.....	Cir. 13		
.....	Cir. 14		
.....	Cir. 16		
.....	Cir. 22		
.....	Cir. 28		
.....	Cir. 42		
.....	Cir. 45		
.....	Cir. 49		
.....	Cir. 51		
.....	Cir. 53		

C.

Camp of instruction, Pine Plains, Jefferson Co., N. Y., schedule of exercises.....	Cir. 47		
Camp Perry, Ottawa Co., Ohio, national match.....		17	
Cartridge cases, empty, returned to State arsenal....		12	2
weight		12	4
Cartridges, cal. .30 reloading, prohibited		12	1
Casualties		1	
.....		7	
.....		20	
.....		34	
naval militia.....		1	
.....		20	
.....		34	
Cavalry, appointments		1	
.....		7	
.....		20	
.....		34	
Chief, coast artillery corps.....		30	1
duties		44	1
Clothing, annual allowance		47	
issue of, to temporary organizations		47	8
price list		38	
requisition		47	10

INDEX TO GENERAL ORDERS AND CIRCULARS.

9

	G. O.	Par.
Coast artillery corps:		
appointments	1	
.....	7	
.....	20	
.....	34	
boards of examination	44	8-15
chief	30	1
duties	44	1
commissioned officers to attend schools of instruction.....	44	2
companies, assigned to Fort Wright	Cir. 12	
examinations	44	5-18
candidates, non-com- missioned staff of- ficers	Cir. 3	
gunners	44	17
subjects prescribed..	44	7
non-commissioned officers, examina- tion of candidates for, judge-ad- vocate, opinion	Cir. 3	
warranted after examination....	44	3
officers to attend schools of instruc- tion ..	30	2
regulations ..	30	
.....	44	
second lieutenants, number in- creased ..	8	1
schools of instruction.....	30	25
text book	Cir. 41	
Coast artillery reserve, organizations, temporary assign- ments for instruction, drill, etc.	Cir. 21	
schools of instruction.....	3	
Coast defense exercises, additional per diem allowance..	21	3
movement of troops.....	21	1
New London, Conn., medical offi- cers to make prompt report..	21	5
organizations named	4	
payment by State to officers and enlisted men	21	2
requisition for public property.	21	4
Coates, William B., captain, court-martial.....	24	
Companies, signal corps, enlisted strength.....	19	2
Correspondence, official, telegraph as a means..	Cir. 44	
Court of inquiry, Tenth regiment infantry.....	5	
Courts-martial:		
Coates, William B., captain.....	24	
Crear, Everett C., musician.....	40	
Devlin, James H. L., 2d lieutenant....	26	

10 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Courts-martial — (continued):	G. O.	Par.
Griffith, Walter R., lieutenant.....	28	
Oliver, Edward, captain.....	25	
Roach, William H., jr., private.....	11	
Crear, Everett C., musician, court-martial.....	40	

D.

Decision, U. S. Comptroller of treasury.....	Cir. 38	
"Deck Log Book".....	Cir. 24	
Decoration, state, for long and faithful service.....	37	
Detailed, aides	41	2
Devlin, James H. L., 2d lieutenant, court-martial.....	26	
Died	1	
.....	7	
.....	20	
.....	34	
Directory and list of officers.....	Cir. 50	
Discharge, dishonorable, judge-advocate, opinion. Cir. 4		
honorable	1	
.....	7	
.....	20	
.....	34	
naval militia	1	
.....	20	
.....	34	
Disbursing officer, Verbeck, William, The Adjutant-General, designated	35	2
Dismissed	34	

E.

Eighth artillery district, coast artillery corps, appointments	1	
.....	7	
.....	20	
.....	34	
Employment, depriving members of national guard of, Cir 7		
Encampments, past irregularities to be guarded against, Cir. 46		
Engineers, corps, appointments.....	1	
.....	7	
.....	20	
.....	34	
"Engineer's Log Book".....	Cir. 24	
Enlisted strength, battery, field artillery.....	19	2
companies, signal corps.....	19	2
Equipage, price list	38	
Equipments for organized militia.....	Cir. 19	

	G. O.	Par.
Examination, boards of, coast artillery corps.....	44	8-15
regulations	44	18
candidates for non-commissioned staff officers, coast artillery corps... Cir. 3		
coast artillery corps.....	44	5-18
gunners	44	17
records	44	9
subjects prescribed.	44	7
Exercises schedule, camp of instruction, Pine Plains, Jefferson Co., N. Y..... Cir. 47		
F.		
Field artillery, ammunition, annual allowance.....	6	
appointments	20	
.	34	
batteries, enlisted strength	19	2
increased	10	
fire control equipment..... Cir. 19		
material for Cir. 19		
inspection and repair. Cir. 30		
Field company, signal corps..... Cir. 35		
Field service, organizations excepted..... Cir. 34		
Pine Plains, Jefferson Co., N. Y., organizations designated Cir. 26		
..... Cir. 28		
..... Cir. 34		
Fire control equipment, field artillery..... Cir. 19		
First battalion, field artillery, appointments.....	20	
naval militia, appointments.....	1	
.....	7	
.....	20	
.....	34	
First field army district, regular army and organized militia	15	
First regiment, infantry, appointments	1	
.....	7	
.....	20	
.....	34	
Fort Leavenworth, Kansas, courses of in- struction Cir. 23		
Fort Riley, Kansas, courses of instruction..... Cir. 23		
Fort Wright, assignment, coast artillery corps. Cir. 12		
Forty-seventh regiment, infantry, appointments.....	1	
.....	7	
.....	20	
.....	34	
Fourteenth regiment, infantry, appointments	1	
.....	7	
.....	20	
.....	34	

G.

General orders amended:	G. O.	Par.
No. 66, s. 1908, par. I.....	13	2
No. 62, 1909	16	
No. 62, 1909, par I.....	1	2
No. 70, 1909, par II.....	19	
No. 70, 1909, par IV.....	8	2
No. 70, 1909, par V.....	8	3
No. 15, 1910	42	
rescinded:		
No. 49, 1910	52	1
revoked:		
No. 36, 1909	32	1
No. 30, 1910	44	19
U. S. war department.....	15	
extract	27	
.....	42	
"Manual of guard duty".....	51	
Governor, appointments	41	1
authority to order militia outside of state, Attorney-General, opinion	Cir. 27	
Horace White qualifies as.....	41	1
Griffith, Walter R., lieutenant, court-martial.....	28	
Gunners, coast artillery corps, examinations.....	44	17

H.

Headquarters, Department of the East:		
subsistence,		
Cir. 36		
transportation		
instructions,		
Cir. 39		
Cir. 40		
naval militia, appointments.....	7	
.....	20	
regimental	18	
Henry, Nelson H., brigadier-general, retired.....	31	
Hill, David B., ex-governor, death.....	46	
Hitchcock, Charles H., general, appointed member militia council	36	
Horseshoes and horseshoe nails, annual allowance.....	14	1
requisition	14	2

I.

Infantry, appointments	1	
.....	7	
.....	20	
.....	34	
Inquiry, court of, Tenth regiment infantry.....	5	

	G. O.	Par.
Inspection and annual muster, dates.....	16	
Inspection and repair of field artillery material. Cir. 30		
Inspection, annual schedule of dates.....	50	
Inspection duty, travel expenses..... Cir. 6		
Inspector-general's department, appointments.....	7	
.....	34	
Instruction, camp of, Pine Plains, Jefferson Co., N. Y., schedule of exercises.. Cir. 47		
report Cir. 43		
courses, Forts Leavenworth and Riley, Kansas Cir. 23		
Schools of, allowance for pay and trans- portation Cir. 15		
transportation, headquarters, Department of the East Cir. 39		
.....	Cir. 40	
Intrenching tools, transfer.....	13	1
Irregularities in past encampments to be guarded against Cir. 46		
J.		
Judge-advocate, division, opinions..... Cir. 3		
..... Cir. 4		
..... Cir. 25		
..... Cir. 31		
L.		
Laborers, armories (M. L.).....	9	
List and directory of officers..... Cir. 50		
M.		
"Manual for privates of infantry of the organized militia of the United States"..... Cir. 1		
"Manual of guard duty." U. S. war department, gen- eral orders 210.....	50	
Manual, trumpeter's Cir. 48		
Medical corps, appointments.....		1
.....		7
.....		20
.....		34
Medical officers, coast defense exercises, to make prompt report	21	5
Members, national guard, depriving of employment. Cir. 7		
discrimination against Cir. 7		
Military accounts	45	1, 2, 3
Military forces regulations	49	
Military Law, ch. 19, 1910	9	
ch. 36, consolidated laws.....	22	
sec. 101, corrected	39	2
sec. 188, ch. 41, 1909, amended.....	9	

14 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

	G. O.	Par.
Military stores and supplies.....	Cir. 18	
tribunals, power to inflict punishment.	Cir. 27	
Militia, authority of governor to order outside of State,		
Cir. 27		
Militia board meeting, national, proceedings..	Cir. 9	
Militia council:		
Bates, William G., colonel, appointed		
member	39	1
Hitchcock, Charles H., general, appointed		
member	36	
recommendations	18	
Smith, George H., brigadier-general, ap-		
pointed member	39	1
Militia organized, arms and equipments.....	Cir. 19	
Militia Notes, Bulletin of.....	Cir. 2	
.....	Cir. 5	
.....	Cir. 10	
.....	Cir. 13	
.....	Cir. 14	
.....	Cir. 16	
.....	Cir. 22	
.....	Cir. 28	
.....	Cir. 42	
.....	Cir. 45	
.....	Cir. 49	
.....	Cir. 51	
.....	Cir. 53	
Moneys for use of armories.....		43
Muster, annual, dates		16
N.		
National match, Camp Perry, Ottawa Co., Ohio.....		17
extracts from U. S. war department,		
general orders 26.....	17	2
National militia board meeting, proceedings..	Cir. 9	
Naval militia, appointments.....	1	
.....	7	
.....	20	
.....	34	
casualties	7	
.....	20	
.....	34	
"Deck and engineer's log book,"		
Cir. 24		
discharge	1	
.....	20	
honorable discharges	34	
organizations designated for duty.....	29	
pay for officers.....	Cir. 20	

	G. O.	Par.
Naval militia—(continued):		
retired	1	
stores and material, classification,		
Cir. 32		
New London, Conn., coast defense exercises, organiza-		
tions designated	4	
Ninth artillery district, coast artillery corps:		
appointments	1	
.	7	
.	20	
.	34	
Non-commissioned officers:		
coast artillery, examination of		
candidates for Cir. 3		
warranted after examination.	44	3
Non-commissioned staff officers, coast artillery corps,		
examination Cir. 3		
O.		
Officers:		
coast artillery corps, to attend schools of in-		
struction	30	2
coast artillery reserves, school of instruction..	3	
commissioned, coast artillery corps, to attend		
schools of instruction	44	2
designated for courses of instruction.. Cir. 23		
directory and list of Cir. 50		
naval militia, pay Cir. 20		
organized militia, rank Cir. 27		
signal corps, assignments	19	2
third brigade, detailed for field service	33	
Oliver, Edward, captain, court-martial	25	
Opinions, attorney-general Cir. 27		
judge-advocate division Cir. 3		
. Cir. 4		
. Cir. 25		
. Cir. 31		
Ordnance department, appointments	1	
.	7	
.	20	
price list	38	
stores, small arms practice price		
list	12	5
Organizations:		
designated for coast defense exercises,		
New London, Conn	4	
designated for service, Pine Plains, Jef-		
ferson Co., N. Y.	23	1
excused from service	35	1

16 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Organizations — (continued):	G. O.	Par.
naval militia, designated for duty	29	
to return empty cartridge cases	12	23
Organized militia, arms and equipments	Cir. 19	

P.

Pay, allowance to attend schools of instruction,		
Cir. 15		
Payment	32	2
by State, etc., officers and enlisted men, coast		
defense exercises	21	2
of volunteers, Spanish-American war. Cir. 52		
Payrolls, regulations relating to preparation	32	2
Pine Plains, Jefferson Co., N. Y.:		
camp of instruction,		
schedule of exercises,		
Cir. 47		
field, service, organ-		
izations designated,		
Cir. 26		
Cir. 28		
military maneuvers, or-		
ganizations desig-		
nated	23	1
organizations designed,		
Cir. 34		
report of camp of in-		
struction . Cir. 43		
transportation, in-		
structions, head-		
quarters, depart-		
ment of the East		
Cir. 39		
Cir. 40		
Post quartermaster sergeants, number increased	8	1
Price list, clothing	38	
.	47	10
equipage	38	
ordnance stores	38	
small arms practice	12	5
quartermaster's stores	38	
Proceedings, national militia board Cir. 9		
Punishment, power of military tribunal to inflict,		
Cir. 27		

Q.

Quartermaster's stores, price list	38	
--	----	--

R.

Rank, officers, organized militia	Cir. 37	
Record keeping, system	Cir. 8	

	G. O.	Par.
Records, coast artillery corps, examination.....	44	9
Regimental headquarters	18	
Regulations, coast artillery corps.....	30	
.....	44	
for the military forces.....	48	
governing boards of examination, coast ar- tillery corps	48	18
part II, amended	2	
preparation of payrolls	32	2
small arms firing, amended.....	49	
.....	52	2
U. S. war department, amended..	Cir. 17	
Report of the camp of instruction, Pine Plains, Jefferson Co., N. Y.....	Cir. 43	
Requisition, clothing	44	
horseshoes and horseshoe nails.....	14	2
public property, coast defense exercises, New London, Conn.....	21	4
small arms ammunition.....	12	6
Rescinded, general orders 49, 1910.....	52	1
Retired	1	
.....	7	
.....	20	
.....	34	
Henry, Nelson H., brigadier-general.....	31	
naval militia	1	
.....	7	
Retired list, placing on after ten years' service. Cir. 25		
Revoked, general orders 36, 1909.....	32	1
30, 1910.....	44	10
Rifle barrels, ammonium solution for.....	Cir. 33	
Roach, William H., jr., court-martial.....	11	
S.		
Schedule of exercises, camp of instruction, Pine Plains, Jefferson Co., N. Y.....	Cir. 47	
Schools of instruction, coast artillery corps.....	30	2-5
coast artillery reserves.....	3	
commissioned officers, coast artil- lery corps	44	2
officers, coast artillery reserves..	3	
Second battalion, naval militia appointments.....	1	
.....	34	
tenth regiment, infantry, headquarters	18	
Second lieutenants, coast artillery corps, number in- creased	8	1
Second regiment, infantry, appointments.....	1	
.....	7	
.....	34	

18 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

	G. O.	Par.
Sergeants, post quartermaster, number increased.....	8	1
Service, long and faithful, State decoration.....	37	
“Service of coast artillery,”—Hines and Ward. Cir. 41		
Seventh regiment, infantry, appointments.....	1	
.....	7	
.....	34	
Seventy-first regiment, infantry, appointments.....	1	
.....	7	
.....	34	
Seventy-fourth regiment, infantry, appointments.....	7	
.....	20	
.....	34	
Shirts, flannel, sizes	47	12
Shoes, marching, sizes	47	11
Signal corps, appointments	20	
.....	34	
duties and service	Cir. 11	
enlisted strength	19	2
field company	Cir. 35	
officers, assignment	19	2
Sixth battery, field artillery, appointments.....	34	
Sixty-fifth regiment, infantry, appointments.....	20	
Sixty-ninth regiment, infantry, appointments.....	7	
.....	20	
.....	34	
Small arms firing, regulations amended.....	49	
.....	52	
Small arms practice, ammunition, requisition.....	12	6
ordnance stores, prices	12	5
Smith, George M., brigadier-general, appointed member militia council	39	1
Spanish-American war, payment of volunteers. Cir. 52		
Squadron A., cavalry, appointments	20	
.....	34	
Squadron C., cavalry appointments.....	1	
.....	7	
.....	20	
.....	34	
State decoration for long and faithful service.....	37	
Stores and material, naval militia classification. Cir. 32		
Stores, military	Cir. 18	
ordnance, price list.....	38	
quartermasters, price list.....	38	
Subsistence, headquarters, department of the East, Cir. 36		
Supernumerary	20	
officers, judge-advocate division, opinion, Cir. 25		
Supplies, military	Cir. 18	

T.	G. O.	Par.
Telegraph as a means of official correspondence. Cir. 44		
Tenth regiment, infantry, appointments.....	1	
.....	7	
.....	20	
.....	34	
court of inquiry.....	5	
second battalion, headquarters	18	
Third battalion, naval militia, appointments.....	20	
.....	34	
Third brigade, officers detailed for field service.....	33	
Third regiment, infantry, appointments.....	1	
.....	20	
.....	34	
Thirteenth artillery district, coast artillery corps, ap- pointments	1	
.....	7	
.....	34	
Transfer, intrenching tools	13	1
Transferred	1	
.....	34	
Transportation, allowance, schools of instruction. Cir. 15		
instructions, headquarters, Department of the East	Cir. 39	
.....	Cir. 40	
Travel expenses, inspection duty.....	Cir. 6	
"Trumpeter's Manual".....	Cir. 48	
Twelfth regiment, infantry, appointments.....	1	
.....	7	
.....	34	
Twenty-third regiment, infantry, appointments.....	7	
.....	20	
.....	34	
U.		
U. S. Comptroller of treasury, decision.....	Cir. 38	
U. S. war department, general orders 6, national matches	17	2
general orders 35.....	15	
78, extract....	27	
178, extract.....	42	
210, "Manual of guard duty".	50	
regulations, amendments. Cir. 17		
V.		
Verbeck, William, The Adjutant-General, appointment..	31	
designated as disbursing officer.....	35	2
Volunteers, Spanish-American war, payment... Cir. 52		
Vouchers	45	3
W.		
Weight, empty cartridge cases.....	12	4
White, Horace, qualifies as governor.....	41	1

(NOTE: General Orders No. 70 is the last of the series for 1909.)

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, January 1, 1910.

GENERAL ORDERS,
No. 1. }

I. The following changes have occurred in the National Guard and Naval Militia of this State since October 31, 1909:

NATIONAL GUARD.

APPOINTMENTS.

Adjutant-General's Department.

Alfred Havens Abeel, adjutant-general, of the grade of major, with rank from August 23, 1900.

Theodore Butler Sheldon, adjutant-general, of the grade of major, with rank from December 9, 1902.

Ordnance Department.

Frederick Martin Waterbury, major, with rank from November 22, 1909.

Robert Webster Farrington, first lieutenant, with rank from December 20, 1909.

Medical Corps.

William Augustus Boyd, captain, with rank from June 26, 1909.

Conrad Rowland Hoffman, captain, with rank from August 22, 1909.

Sylvanus Purdy, captain, with rank from September 26, 1909.

George William Augustin, first lieutenant, with rank from October 29, 1909.

James Gracey Dunseith, first lieutenant, with rank from December 23, 1909.

Hugh Aloysius Rodden, first lieutenant, with rank from December 23, 1909.

Corps of Engineers.

William Roberts, first lieutenant, with rank from November 3, 1909.

Alexander Carlyle Porteous, second lieutenant, with rank from December 10, 1909.

Raymond Barnard Small, second lieutenant, with rank from December 17, 1909.

CAVALRY.

Squadron C.

Henry Hall Bassford, second lieutenant, with rank from October 21, 1909.

INFANTRY.

First Regiment.

Lewis B. Merselis, captain, with rank from December 14, 1909.

James Tyler Sherwood, second lieutenant, with rank from November 11, 1909.

Second Regiment.

George Frederick Bradshaw, first lieutenant, with rank from November 26, 1909.

Third Regiment.

Norman Stanley Peverill, captain, with rank from December 20, 1909.

Otto Irving Chormann, first lieutenant, with rank from December 7, 1909.

Seventh Regiment.

James Everett Schuyler, major, with rank from December 8, 1909.

Edwin Seymour Coy, first lieutenant, with rank from December 2, 1909.

Tenth Regiment.

Richard Charles McCoy, first lieutenant, with rank from November 4, 1909.

Charles Allen Baker, first lieutenant, with rank from November 9, 1909.

Daniel John Cassidy, first lieutenant, with rank from November 16, 1909.

Henry Phillips Piers, second lieutenant, with rank from December 3, 1909.

Twelfth Regiment.

Robert Saunders, captain, with rank from December 12, 1909.

Edwin Winthrop Dayton, first lieutenant, with rank from November 3, 1909.

John Joseph Dean, first lieutenant, with rank from November 3, 1909.

Edward Kendall Rogers, first lieutenant, with rank from November 12, 1909.

Fourteenth Regiment.

William Edward Blaisdell, first lieutenant, with rank from November 11, 1909.

Angelo Bianchi, second lieutenant, with rank from December 11, 1909.

Forty-seventh Regiment.

Thomas Alexander Buys, second lieutenant, with rank from December 8, 1909.

Theodore Wolff, second lieutenant, with rank from December 8, 1909.

Seventy-first Regiment.

John Boyle, Jr., captain, with rank from December 8, 1909.

Lucian Scott Breckinridge, first lieutenant, with rank from December 2, 1909.

James Warner Bellah, second lieutenant, with rank from November 3, 1909.

John Jerome Callahan, second lieutenant, with rank from December 2, 1909.

Charles Plater Turner, second lieutenant, with rank from December 2, 1909.

COAST ARTILLERY CORPS.

Eighth Artillery District.

Thomas Eugene Bullivant, captain, with rank from November 26, 1909.

Abraham Lincoln McKenzie, captain, with rank from December 8, 1909.

Charles William Gould, first lieutenant, with rank from December 3, 1909.

James Winthrop Thomas, second lieutenant, with rank from December 3, 1909.

Charles Conant Harriman, chaplain, with rank from December 8, 1909.

Ninth Artillery District.

Reginald Johnstone Imperatori, captain, with rank from November 5, 1909.

Leslie Eugene Thompson, second lieutenant, with rank from November 5, 1909.

Thirteenth Artillery District.

Frederick Nelson Whitley, captain, with rank from November 5, 1909.

BREVETS.

Lieutenant-Colonel Chauncey Pratt Williams (brevet-colonel), adjutant-general's department, brigadier-general by brevet in the national guard for meritorious service of more than twenty-five years, with rank from November 12, 1909.

Colonel James Westcott Lester, 2d infantry, brigadier-general by brevet in the national guard for meritorious service of more than twenty-five years, with rank from November 25, 1909.

Lieutenant-Colonel Solomon Ephraim Japha, coast artillery corps, colonel by brevet in the national guard for meritorious service of more than twenty-five years, with rank from December 28, 1909.

Major William Henry Linson, 71st infantry, lieutenant-colonel by brevet in the national guard for meritorious service of more than twenty-five years, with rank from November 4, 1909.

Major Sydney Grant, coast artillery corps, lieutenant-colonel by brevet in the national guard for meritorious service of more than twenty-five years, with rank from December 8, 1909.

First Lieutenant James Rutherford Stewart, 7th infantry, captain by brevet in the national guard for meritorious service of more than twenty-five years, with rank from November 4, 1909.

Private William Van Antwerp Mulhallon, company I, 7th infantry, second lieutenant by brevet in the national guard for faithful service of more than twenty-five years, with rank from November 27, 1909.

RETIRED.

Captain John Augustine Delany, 69th infantry, November 27, 1909.

Captain Arthur Melville Tompkins, coast artillery corps, December 21, 1909.

Chaplain Lindsay Parker, 23d infantry, November 4, 1909.

Brevet Second Lieutenant William Van Antwerp Mulhallon, late private, company I, 7th infantry, November 27, 1909.

TRANSFERRED.

First Lieutenant Walter E. Kingsbury, coast artillery corps, from the 5th company to the unassigned list, for staff duty in the 13th artillery district, December 14, 1909.

CASUALTIES.

Full and Honorable Discharge.

Captain George Edward Conley, coast artillery corps, November 12, 1909.

Captain Fielding Tecumseh Robeson, medical corps, November 30, 1909.

Captain Harry William Badenhausen, coast artillery corps, December 21, 1909.

Captain Ernest Eugene Bosca, coast artillery corps, December 21, 1909.

First Lieutenant John Francis Chapman, 23d infantry, November 27, 1909.

First Lieutenant Frederick Gorham Clark Lyon, 12th infantry, November 27, 1909.

Honorable Discharge.

Captain Matthew Sterling Borden, medical corps, December 9, 1909.

First Lieutenant Champe Seabury Andrews, coast artillery corps, November 27, 1909.

Chaplain Richard Earle Locke, 74th infantry, November 27, 1909.

Discharge.

Second Lieutenant Tom Pancoast Dilkes, coast artillery corps, November 11, 1909.

Died.

Brevet Second Lieutenant John C. Smith, retired, November 8, 1909.

NAVAL MILITIA.

APPOINTMENTS.

First Battalion.

Henry Hall Forbes, surgeon, of the grade of lieutenant, with rank from December 19, 1904.

Starr Taintor, navigating lieutenant, with rank from December 13, 1909.

Charles Longstreet Poor, lieutenant, with rank from November 11, 1909.

24 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Charles Boone, lieutenant, junior grade, with rank from December 22, 1909.

Bertrand Faugeres Bell, ensign, with rank from November 11, 1909.

William Lewis Mallon, ensign, with rank from December 22, 1909.

Second Battalion.

John Aloysius Lee, assistant surgeon, of the grade of lieutenant, junior grade, with rank from December 22, 1909.

Edward Thomas Fitzgerald, lieutenant, with rank from November 11, 1909.

RETIRED.

Lieutenant Robert Welch Candler, paymaster, 1st battalion, December 21, 1909.

CASUALTY.

Honorable Discharge.

Commander Andrew Edwin Kalbach, 1st battalion, November 27, 1909.

II. So much of par. I, General Orders 62, from this office, November 12, 1909, as fixes the date of inspection of the office of The Adjutant-General, S. N. Y., State Arsenal, New York City, is hereby amended to read as follows:

Office of The Adjutant-General, S. N. Y., State Arsenal, New York City, April 28th.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....

Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
ADJUTANT-GENERAL'S OFFICE,

ALBANY, *January 17, 1910.*

GENERAL ORDERS, }
No. 2. }

Paragraph 255, Regulations, Part II, is hereby amended to read as follows:

255. Officers are annually entitled to a certain allowance for uniforming themselves. In organizations to which more than four officers of the medical corps are attached, the four senior officers so attached shall be considered as performing duty which requires them to be mounted.

The voucher or receipt in duplicate must be fully filled out on Form 37, certified by the officer's immediate commanding officer.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....

Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

ADJUTANT-GENERAL'S OFFICE,

ALBANY, January 20, 1910.

GENERAL ORDERS,

No. 3. }

Schools of instruction for coast artillery reserves in the coast artillery service are established in the 8th, 9th and 13th Artillery Districts. This system of technical instruction for the coast artillery reserves is to establish uniformity and to qualify the officers of the coast artillery service as instructors of their men. All instruction will be under the general direction and supervision of the army officer detailed as instructor by the Department of the East and such enlisted men as may accompany him.

The instruction is compulsory and at the end of each season an examination will be held. The course will continue for three seasons, at the end of which time each officer having passed the necessary examinations will be excused from further attendance if he so desires. Period of this instruction each year will last ten weeks.

Instruction of officers:

1st year:

1. Service of the piece.
 - (a) Duties of each member of the gun and ammunition section under all conditions.
2. Gun and carriage.
 - (a) Nomenclature, purpose and action of several parts.
 - (b) Packing stuffing boxes and cleaning recoil cylinders.
 - (c) Adjustment of quadrant elevation device, sight standard, throttling valve, gas check pad, elevating gear, grease cups, and firing mechanism.
 - (d) Care and preservation.
3. Powders, projectiles, primers, fuses.
 - (a) Ventilation of magazines.
 - (b) Blending powder and preparation of charges.
 - (c) Filling and fusing projectiles.
 - (d) Painting projectiles.
 - (e) Care of empty cartridge cases and primer bodies.
4. Cordage, gins, shears, jacks, and use.
5. Camp hygiene.

2d year:

1. Definitions Coast Artillery Drill Regulations.
2. Fire control system.
 - (a) Detailed knowledge of system employed at the battery.
 - (b) Indication and identification of targets.
 - (c) Duties of each member of the range section under all conditions.
 - (d) Emergency system and Salvo points.

3. Fire control apparatus.
 - (a) A detailed knowledge of adjustment and use of all fire control apparatus.
 4. Elementary gunnery.
 - (a) Explanation of the several corrections to be applied to the observed range to obtain the corrected range.
 - (b) Effect on the flight of projectiles of variations in the density of air; the direction and velocity of wind.
 - (c) Use of trial shots and application of the data obtained from them.
 5. Pointing.
 - (a) Methods of pointing and pointing tests.
 - (b) The telescopic sight (the quadrant for mortars).
 - (c) Bore sighting and orientation.
 - (d) Emergency system and Salvo points.
- 3d year:
1. General principles of coast defense.
 2. Organization of coast artillery personnel and duties of separate commanders and manning bodies.
 3. Role of guns of different calibers and mortars.
 4. An artillery inspection.
 5. Characteristic features of the several classes of warships, general knowledge of local shipping; of channels leading to the harbor; and of ranges to prominent fixed objects in the field of fire of the battery.
 6. Conduct of subcaliber and service practice.

The Major-General, commanding Division, National Guard, after conference with the Chief of Coast Artillery, is directed to issue such orders as may be necessary to carry the above into effect in accordance with the provisions of the Military Law.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, January 31, 1910.

GENERAL ORDERS, }
No. 4. }

The Governor having accepted the invitation of the Secretary of War to detail a portion of the National Guard of this State to cooperate with the United States Army in coast defense exercises, to take place in the artillery district of New London, hereby designates

the following organizations to participate in this service, June 10th to July 7th.

The Chief of Coast Artillery and Assistants, June 10th to July 7th.

Provisional Regiment, Coast Artillery Corps, 13th Artillery District, June 10th to June 19th.

Provisional Regiment, Coast Artillery Corps, 9th Artillery District, June 19th to June 28th.

Provisional Regiment, Coast Artillery Corps, 8th Artillery District, June 28th to July 7th.

The Commanding Officer, Division National Guard, is directed, after conferring with the Chief, Coast Artillery, to issue such orders as may be necessary to carry out the desires of the Secretary of War, relative to this service, in accordance with instructions received from the War Department through this office, and subsequent General Orders of the Governor.

By command of the Governor:

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
 THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *February 7, 1910.*

General Orders, }
 No. 5. }

1. The Court of Inquiry of which Colonel John H. Foote, Fourteenth Regiment, Infantry, is president, convened pursuant to Special Orders No. 112, as amended by Special Orders No. 120, and Special Orders No. 124, s. 1909, from this office, by command of the Governor, at the request of Captain William B. Coates, Tenth Infantry, N. G., N. Y., to examine fully into the conditions in the second battalion of the Tenth Infantry, generally, with particular reference to Companies A and C, and as to the causes which led to the recommendation that those companies be excused from field service with the regiment, and that Company A be disbanded, and furthermore to inquire into all matters relative to the foregoing and to make full report of such inquiry with its opinion as to the necessity of further action and the character of such action, if any, having considered the evidence in

connection with the case has reported its findings, opinion and recommendations as hereinafter stated:

THE ARMORY OF THE TENTH INFANTRY,

ALBANY, N. Y., October 28, 1909.

The Adjutant-General, State of New York, Albany, N. Y.:

SIR.—The Court of Inquiry, appointed by S. O. 112, A. G. O., the detail of which was modified by S. O. 120, A. G. O., and S. O. 124, A. G. O., has the honor to report:

Pursuant to the order of its appointment, the Court of Inquiry convened at the Armory of the 10th Infantry, Albany, on Monday, July 12, 1909, at 8 o'clock P. M., and proceeded to examine fully into the conditions in the 2d battalion of the 10th Infantry, generally and with particular reference to Companies A and C, and as to the causes which led to the recommendations that those companies be excused from field service with the regiment, and that Company A be disbanded, and all matters relative thereto.

The Court was in session eight days, i. e., July 12th, 13th, 14th, 19th, 20th, 22d, 23d and 24th, holding two sessions on each of said days, except the first, and sitting on an average of from 7 to 8 hours each day.

The hearings were public.

One hundred and seventeen witnesses were examined. The testimony of the witnesses and proceedings before the court were reported by a stenographer authorized to be employed for the purpose, and thereafter transcribed, and are herewith submitted, together with the exhibits numbering 173, which were introduced in evidence.

Due deliberation having been had, the Court, in respect to the matters now before it, finds as follows:

FINDINGS OF FACT.

I. The battalion organization of the 10th Battalion was discontinued May 1, 1905. (G. O. 10, A. G. O. s. 1905, People's Exhibit 89.)

II. Companies A, B, C, and D, constituting the 10th Battalion at the time of its disbandment, were thereupon constituted and declared to be separate companies, and, as such, designated, respectively, the 26th, 35th, 38th, and 45th separate companies. (G. O. 10, A. G. O. s. 1905, People's Exhibit 89.)

III. The 10th Regiment was created May 1, 1905, composed of the 26th, 35th, 38th, 45th, 14th, 15th, 16th, 23d, 4th, 11th, and 17th separate companies, with headquarters in the State Armory at Albany, and attached to the 3d Brigade. (G. O. 10, A. G. O. s. 1905.)

IV. Pursuant to G. O. 10, A. G. O. s. 1905, field officers of the 10th Regiment, Infantry, N. G., N. Y., were constituted as follows: Charles A. Denike, colonel; Charles E. Davis, lieutenant-colonel; John I. Prunyn, major; Howard U. McMillan, major; Frank A. McNeely, major. (G. O. 2, 10 R. s. 1905, People's Exhibit 86.)

V. The 26th, 35th, 36th, and 45th separate companies, designated respectively companies A, B, C, and D, 10th Regiment, were assigned to the 2d battalion, Major Howard U. McMillan commanding, with headquarters at the State Armory, Albany. (Id.)

VI. The 14th Separate Company of Kingston, the 15th Separate Company of Poughkeepsie, the 16th Separate Company of Catskill, and the 23d Separate Company of Hudson, designated respectively Companies M, K, E, and F, 10th Regiment, were assigned to the 3d battalion, Major Frank A. McNeely commanding, with headquarters at the State Armory, Albany. (Id.)

VII. The 4th Separate Company of Yonkers, the 11th Separate Company of Mt. Vernon, and the 17th Separate Company of Flushing, designated respectively Companies G, H, and I, 10th Regiment, were assigned to the 1st battalion, Major John I. Pruyn commanding, with headquarters at the State Armory, Yonkers. (Id.)

VIII. Captain William B. Coates, the present commanding officer of A Company, 10th Infantry, was commissioned captain, 26th Separate Company, May 1, 1905. (Official Register, S. M. 6.)

IX. Captain Edward V. Howard, the present commanding officer of B Company, 10th Infantry, was commissioned captain, 35th Separate Company, May 12, 1905. (Id.) (S. M. 1476.)

X. Captain Edward Oliver, the present commanding officer of C Company, 10th Infantry, was commissioned captain, 38th Separate Company, August 17, 1906. (Id.) (S. M. 1362.)

XI. Captain Charles E. Walsh, present commanding officer of D Company, 10th Infantry, was commissioned captain, 45th Separate Company, May 17, 1905. (Id.) (S. M. 1492.)

XII. At the time of the organization of the regiment, Charles B. Staats was commissioned captain and appointed adjutant, 10th Regiment. (S. M. 202.)

XIII. On September 13, 1906, Captain Charles B. Staats was promoted and commissioned major, 10th Regiment, *vice* McMillan, resigned, and assigned to the command of Companies A, B, C and D (2d Battalion). (S. O. 166, 10 R. s. 1906. People's Exhibit 85.)

XIV. On October 11, 1907, Battalion Adjutant Allan L. Reagan was commissioned captain and appointed regimental adjutant, *vice* Staats, promoted. (S. M. 578.)

XV. Lieutenant-Colonel Charles E. Davis was in command of the 10th Regiment from April 1, 1908, to July 11, 1908. (S. M. 1524.)

XVI. Major John I. Pruyn was commissioned colonel and assumed command of the 10th Regiment Infantry, *vice* Denike, resigned July 11, 1908. (G. O. 15, 10 R. s. 1908, S. M. 579.)

XVII. Brigadier-General James H. Lloyd, commanding officer, 3d Brigade, was commissioned November 23, 1907. (Official Register.)

XVIII. On June 17, 1909, General Lloyd forwarded to The Adjutant-General, State of New York, his recommendation that Company A, 10th Regiment Infantry, N. G., N. Y., be disbanded, and that, pending action by superior headquarters, the company be excused from participation in the field service of the regiment. (People's Exhibit 4, S. M. 35.)

XIX. On May 26, 1909, at the request of the Major-General Commanding, General Lloyd recommended the disbandment of Company C, 10th Infantry (People's Exhibit 16, S. M. 72), and on June 17, 1909, made request that pending action upon the recommendation Company C be excused from field service. (People's Exhibit 5, S. M. 36.)

AS TO THE CONDITION OF COMPANY A, AND THE CAUSES WHICH LED TO THE RECOMMENDATIONS IN RESPECT TO THAT COMPANY.

XX. In 1905, at the time Captain Coates assumed command of Company A, its total strength was 60. (S. M. 38, People's Exhibit 6, S. M. 39, 51.)

XXI. The average strength, attendance at drills and percentage of attendance of Company A for the drill season 1905-1906, the first year of Captain Coates' command, were as follows: (Peoples' Exhibit 154, S. M. 1756.)

MONTH — YEAR.	Average strength present and absent.	Average present.	Average percentage of attendance.
October, 1905	54	42	78
November, 1905	52	43	83
December, 1905	49	38	78
January, 1906	48	34	71
February, 1906	48	38	79
March, 1906	47	37	79
April, 1906	47	37	79

XXII. At the annual inspection of the company, April 24, 1906, its total strength was 44. (People's Exhibit 7, S. M. 40-42), and the Brigade Inspector made the following report in respect to the condition of the company:—

“There have been two (2) gains by promotion, six (6) by transfer, four (4) by taken up, and nine (9) by enlistment, total twenty-one (21).

Losses are, by promotion, three (3); by transfer, six (6); by full and honorable discharge, seven (7); by honorable discharge, three (3); by removal, seventeen (17), and one (1) by expulsion; total thirty-seven (37).

In addition to this loss there are now twelve (12) men entitled to their discharges by reason of expiration of term of service, who should receive the same, and five (5) men who are not properly attending to their military duties who should be disciplined or discharged.”

“At the last election for First Lieutenant, held recently, but fifteen (15) men were eligible to vote.”

“The gain of nine men by enlistment in fourteen months, and the large loss in numbers since last inspection, are matters which should attract the most serious attention of the officers.”

(Remarks of Inspector, People's Exhibit 7 S. M. pp. 41, 42).

XXIII. The Inspector, National Guard, made report of the same inspection. (People's Exhibit 23, S. M. 565.)

"This company has a net loss of 16 since the last muster, but the quality of material left is good, and there seems to be faith and confidence in the ability of the company to regain numerical strength, and maintain the reputation that it has enjoyed of being a reliable company of the first class.

The reorganization of 1905 puts the company on probation. Time must be allowed for development and the reconciling of the changed conditions."

XXIV. The average strength, attendance at drills and percentage of attendance of Company A, during the drill season of 1906-1907, were as follows: (People's Exhibit 154, S. M. 1756.)

MONTH — YEAR.	Average strength present and absent.	Average present.	Average percentage of attendance.
October, 1906	42	31	74
November, 1906	44	34	77
December, 1906	39	29	74
January, 1907	39	32	82
February, 1907	43	35	81
March, 1907	50	45	90
April, 1907	60	55	92

XXV. At the annual inspection of the company, April 22, 1907, there were present, 3 officers and 56 enlisted men, a total of 59. One enlisted man was absent, making the aggregate membership present and absent, sixty (60).

The gains for the year were twenty-nine (29).

The losses for the year were thirteen (13), showing a net gain of sixteen (16). (People's Exhibit 8, S. M. 43.)

XXVI. The brigade inspector reported of the condition of the company at the inspection April 22, 1907:

"* * * There have been twenty-nine gains and thirteen losses since last inspection. The net gain of sixteen men is very edifying. Drill was satisfactory. Books and records are well kept and accurate. Nine men appear to have served the period of their enlistment and should be discharged and if desired re-enlisted. Average attendance since last report, thirty-nine events, including a tour of duty in aid of the civil authorities at Coeymans, May 16 to 21, 1906, is 84.5 per cent., figure of merit of season of 1906, 51.90, the highest in the regiment for the season, 15th in the brigade, and 53d in the State. It stood 130th in the State for the season of 1905, and the improvement is very gratifying." (Remarks of Inspector, People's Exhibit 8, S. M. 44.)

XXVII. Of the same inspection, the Inspector of the National Guard reported:

"A good company, well drilled, has made quite a gain in strength since last muster. It contains twenty-five new members, over 40 per cent. of its strength. The inspection was satisfactory." (People's Exhibit 27, S. M. 571.)

XXVIII. The average strength, attendance at drills and percentage of attendance of Company A during the drill season, 1907-1908, were as follows: (People's Exhibit 154, S. M. 1761-1763.)

MONTH — YEAR.	Average strength present and absent.	Average present.	Average percentage of attendance.
November, 1907	63	50	79
December, 1907	57	42	74
January, 1908	55	45	82
February, 1908	58	47	81
March, 1908	54	44	81
April, 1908.	50	40	80

XXIX. At the annual inspection, March 30-31, 1908, there were present 3 officers and 48 enlisted men, a total of 51, and there were no absentees. The gains for the year were 18, and the loss 27, showing a net loss of 9. (People's Exhibit 9, S. M. 45.)

XXX. Of the condition of the company the brigade inspector reported:

"The discipline, military appearance, and behavior of the company was good. The personnel is very good. The company has no permanent squad system. There have been 8 enlistments 6 gains by transfer and 4 by taken up; total, 18; 5 men have been full and honorably discharged, 18 honorably discharged, 1 lost by removal, and 3 by transfer. Total losses, 27. Net loss of 9 men for the year. There are also 9 men who have served the period of their enlistments and who should be discharged. The company has no order-book. Other books were found in a satisfactory condition. Every member was present at inspection, but the average attendance at 42 events since last inspection, including a voluntary tour of service at Cooperstown August 9, 10, and 11, 1907, and field service with the regiment at Felts Mills, is 75 per cent.; 46 per cent. of the company attended at Cooperstown, and the attendance at Felts Mills was 67.75. This is unsatisfactory. There are 5 men who are not properly attending to their military duties. The company does not appear to be improving in numbers nor attendance. The captain appears to be listless. He should inspire the officers and men to greater effort in order that the company may speedily regain what it has lost. The small-arms practice for the season of 1907 was

very satisfactory. The figure of merit was 53.26. It was 51.90 in 1906. The company is second in the regiment, thirteenth in the brigade, and fifty-fourth in the State." (Remarks of inspecting officer, People's Exhibit 9.)

XXXI. Of the same inspection the Adjutant-General, Division National Guard, reported: (People's Exhibit 68, S. M. 815.)

"Officers, good; enlisted men very steady, well instructed, spirited, neat, clean, and satisfactory. Officers not fully equipped. The company is fully equipped for field service, and is a good company. It ought to be stronger in numbers."

XXXII. The average strength, attendance at drills, and percentage of attendance of Company A during the season of 1908-1909, were as follows: (People's Exhibit 154, S. M. 1764-1765.)

MONTH — YEAR.	Average strength present and absent.	Average present.	Average percentage of attendance.
November, 1908	47	40	85
December, 1908	48	39	81
January, 1909	48	40	83
February, 1909	50	37	74
March, 1909	47	40	85

XXXIII. At the annual inspection of the company by the Inspector-General, Division National Guard, on March 9, 1909, there were present:

Three (3) officers and forty-seven (47) enlisted men. Total fifty (50). There were no absentees. (People's Exhibit 73, S. M. 856.)

XXXIV. Of the condition of the company the inspecting officer reported:

"General appearance, military bearing, discipline, and courtesy very good. Efficiency, as shown by inspection, very good, but no special preparation in the way of cleaning and pressing clothes for inspection."

"By a little more effort and a little harder work, this company can be improved. No order book. Other books and records, good to excellent." (People's Exhibit 731, S. M. 857.)

XXXV. There was an inspection of the company by the inspector, 3d Brigade, on April 9, 1909, one month later, at which there were present three (3) officers and thirty-seven (37) enlisted men, a total of forty (40). There were absent two (2) enlisted men, making an aggregate present and absent of forty-two (42). (People's Exhibit 10, S. M. 48.)

XXXVI. Of the condition of the company at this inspection the brigade inspector reported:

"There have been six enlistments and six re-enlistments for the year, equals 12 gain. Losses are: By full and honorable discharge, eleven (11); by transfer, three (3); death, one (1); honorable

discharge, five (5), and disability, one (1)— equals twenty-one (21) loss."

"There was also a net loss of nine (9) men reported at last brigade inspection. Average attendance at 39 events since last report is 81 per cent. Books are in satisfactory condition; there is no order book. This company made a very good appearance. The personnel is very good and the work of the evening was pleasing to behold. Guard mounting was the best seen thus far this season. The officers are above the average in military efficiency; the noncommissioned officers are capable, and the men are very well instructed.

Company quarters are neat and clean. A larger storeroom is desired and needed.

The record for field small arms practice, season of 1908, is gratifying. Forty-eight men were present, 2 absent; 28 men qualified as marksmen; 11 on first string; 5 as sharpshooters; 10 as expert and 4 as distinguished expert. Figure of merit is 58. It was 53.36 for 1907. Company stands second in the regiment and forty-ninth in the 193 State organizations.

Regarding affairs in the company, Captain states, in February last he personally conducted a Marathon Meet, at the Albany Armory. He previously made certain proposals to the Board of Directors of Company A, for use of the Company name; such authority was refused. He ran the meet personally, which incensed several members, who circulated a petition requesting him to resign. Captain has discharged several men who were implicated. At his request I addressed the men after Inspection, and found a harmonious feeling existing. Seventeen men publicly promised to each bring in one recruit before company goes to camp. There has been a net loss of 18 men since Captain Coates took command. Major Staats informs me that he has not received any answers to questions, prescribed by G. O. 4, 3 B. s '08, from this company." (Remarks by Inspector, People's Exhibit 10.)

REQUEST FOR RESIGNATION OF CAPTAIN COATES MADE BY COLONEL DENIKE IN 1907.

XXXVII. On February 22, 1907, Colonel Charles A. Denike, then Commanding Officer of the Tenth Regiment, sent the following written communication to Captain Coates, which was received by him. (People's Exhibit 157 S. M. 1782.)

"HEADQUARTERS TENTH REGIMENT INFANTRY, N. G., N. Y.,

State Armory, Washington Avenue and Lark Street.,

ALBANY, February 22, 1907.

Captain WILLIAM B. COATES, Albany, N. Y.:

MY DEAR CAPTAIN.—I am extremely sorry to feel that I should write you this letter. I have always felt friendly towards you and do so still.

The matter is your company. A year ago at inspection my attention was called to the decrease in your company by the Inspector. I insisted that that state was natural to a change in Captains, and that I desired to give you time, when I felt sure that you would overcome that condition and build the Company up.

Well, my dear Captain, I have waited another year, and only a change for the worse has taken place, and I am informed that the majority of your company as it stands to-day are not in sympathy with you, and I am afraid that if the company's course is not changed, that this Inspection which is shortly coming will bring a recommendation for its disbandment.

I therefore think that you should have the welfare of your company so much to heart, that you should give them your best wishes and support by resigning, and let some one else try their hand and see if the company cannot be brought up to at least the minimum number.

My dear Captain, this is written to you with the most kindly feelings, and I hope that you will accept it in the same spirit.

Please let me hear from you regarding this matter at your earliest convenience.

Very sincerely yours,

CHARLES A. DENIKE, Colonel."

XXXVIII. On the 26th day of February, 1907, Captain Coates sent to Colonel Denike, the following written communication: (People's Exhibit 157, S. M. 1784.)

"COMPANY A, 10TH REGIMENT, N. G., N. Y.,

(26th Separate Company)

STATE ARMORY, 195 WASHINGTON AVENUE,

ALBANY, February 26, 1907.

Colonel CHARLES A. DENIKE, *New York city*:

MY DEAR COLONEL.—Your letter of the 22d to hand and contents very carefully noted and coming from you it is certainly a surprise. I will say for your information that you have been grossly misinformed as to the conditions in Company A, and furthermore it is very strange that you, as commanding officer, should make such charges and suggestions on hearsay reports without even making a personal investigation or giving the accused a hearing. The origin and purpose of these reports is very manifest to me.

I have always felt that you were friendly to me, I know I have always felt so towards you, but of late (and I may be wrong), I have felt that you have treated me very coldly on your recent visits to Albany.

I stand for my record in the guard for the past eighteen years, also for the record of Company A, since my taking command of same. I am proud of both records.

Yours sincerely."

XXXIX. For the purpose of inducing Colonel Denike to recall his request for Captain Coates' resignation (S. M. 449), a circular letter was prepared and signed by members of Company A (People's Exhibit 19, S. M. 447), addressed to Captain Coates (S. M. 464, 1540) and by him submitted to Colonel Denike (S. M. 1540), as follows: (People's Exhibit No. 19, for identification, Fol. 447.)

"Captain WILLIAM B. COATES, *Company A, 10th Regiment, N. G., N. Y., Albany, N. Y.:*

SIR.—It has become known to the undersigned, enlisted men of your command, that it has recently been a matter of common report that the fact that the enlisted strength of the company is and has been for some time below the minimum allowed by law, is due to the existence of dissension in the ranks; that the men of your command are so far antagonistic to you that they will neither work in harmony with you nor make the proper effort to build the company up while you are in command. We desire, over our signatures, to deny that such a condition exists, to reaffirm our loyalty to you as commanding officer, and our desire now, as in the past, to work for the good of the Albany Zouave Cadets.

We maintain that local conditions, beyond our control, have alone been responsible for our failure to secure recruits of the class we desire, as we have always been able to do before; that, since the Spanish-American war, men of that class have hesitated to risk business interests in a service to which they might have to be loyal at their expense; that we could not maintain the reputation of this organization with the class of men which we could get easily.

We also maintain that the general record of this company, in spite of the smallness in numbers, speaks for itself, as follows:

Since the last inspection and muster we have lost by dropped for removal fifteen men, all of whom, with the exception of those since taken up, are out of the city. We have lost by full and honorable discharge only three men, two of whom had served ten years. Several of those dropped for removal have been taken up at their own request, as also two who had been out over three years.

At the present time our enlisted strength shows a net gain of three over that of the last inspection and muster, and there is every indication that before the coming inspection the strength of the company will be above the minimum.

The company leads the regiment in general figure of merit for 1906, and by a good margin.

It has for the second time in succession won the Battalion Point Prize covering the year's work.

It leads the battalion thus far in the percentage of attendance for the season.

It led the battalion in percentage present for riot duty at Coeymans, one man being absent, sick at home under the care of a physician who refused him permission to come.

It leads the regiment in the number of distinguished experts qualified in 1906.

With relation to the foregoing statements we respectfully make the following statement and request:

That the statement has been prepared without the knowledge or influence of either yourself or your officers.

That so far as the intention of the undersigned is concerned it is sincere and truthful, and we request that it be forwarded in the regular manner for the information of headquarters.

Respectfully,"

XL. Colonel Denike afterwards sent for Captain Coates and told him to pursue the course he had pursued (S. M. 1788), and that ended the incident. (S. M. 1788.)

XLI. Thereafter Captain Coates thanked the men of his company for the letter, and stated to them, in effect, that if the time should come when the members of his company should not desire him longer as commanding officer he would resign. (S. M. 341, 350, 406.)

AS TO PROPOSED MARATHON RACE IN THE INTEREST OF CAPTAIN COATES AND SERGEANT NOLAN.

XLII. In February, 1909, Company A conducted an athletic meet in the armory at Albany, which netted the company about \$900. (S. M. 336, 363, 427, 444.)

XLIII. On March 4, 1909, Captain Coates called a meeting of the Council of Administration of Company A (S. M. 336, 363), and requested that he and Sergeant Nolan of Company A be given the right to use the company name in procuring the use of the armory for the purpose of holding a marathon race, the proceeds of which should go to himself and Sergeant Nolan personally. (S. M. 336, 342, 363, 401, minutes of the meeting of the Council, S. M. 363.)

XLIV. The Council of Administration refused to consent to the proposition, but agreed upon a compromise by which the captain was to use the company name in procuring the use of the armory, but was not to advertise or conduct the event under the auspices of the company, but should give the company 20 per cent. of the net proceeds for the use of the name in procuring the privilege to use the armory. (S. M. 337, 363.)

XLV. On March 17, 1909, there was published in the Albany Times-Union a story to the effect that Company A was to have a marathon race on April 3, if the plans of the committee were carried out. (People's Exhibit 20, S. M. 455.)

XLVI. On March 18, 1909, there was published in the Albany Times-Union, under the heading "Some Sort of a Marathon," a story of a meeting of Company A to be held on that evening to determine whether the "big marathon on April 3d will take place as scheduled." (People's Exhibit 21, S. M. 456.)

XLVII. The proposition made by Captain Coates, to use the armory for the personal benefit of himself and Sergeant Nolan, caused con-

siderable adverse criticism, and it was not regarded with favor by the members of the company (S. M. 401, 402, 426, 427, 1791), and the announcement in the newspapers that the meet was to be held under the auspices of the company was contrary to the resolution (S. M. 386), and occasioned general resentment. (S. M. 387.)

XLVIII. On March 18, 1909, Captain Coates forwarded his personal application to use the armory Saturday night, April 3, 1909, "for the purpose of holding an athletic event." (People's Exhibit 92, S. M. 970.)

XLIX. The application was returned by direction of the commanding officer of the regiment, with the information that the request might be granted, contingent upon the approval of the brigade commander, upon the execution of the proper bond in accordance with subdivision C of section 192 M. L., and for a rental of \$100, and such additional sum for heating and lighting as might be determined upon as equitable. (See Endorsement, People's Exhibit 92.)

L. The proposed marathon race never took place in the armory or elsewhere. (S. M. 491.)

LI. Under date of March 22, 1909, there was prepared and sent to Captain Coates the following written communication signed by twenty-six members of the company (People's Exhibit 3, S. M. 19, 20, 21, 22):

"ALBANY, N. Y., March 22, 1909.

Captain WILLIAM B. COATES, *Commanding Officer, Company A,
Tenth Regiment, N. G., N. Y.:*

SIR.—We, the undersigned members of Company A, Tenth Regiment, N. G., N. Y., have the honor to respectfully request that you resign the command of the Company.

Our reasons for making this request are as follows:

Appreciating fully the faithful services you have rendered the organization in the past, we nevertheless feel that the good of the Company absolutely requires a change in its management.

When, some two years ago, we signed a communication to the then regimental commander in regard to a request by him for your resignation, we did so in hope that the condition of the company would improve, and that you, as commanding officer, would use your best efforts to bring about such improvement. This we regret to say we do not believe you have done.

Whatever the cause or causes may be, we feel that you, as commanding officer, are entirely out of sympathy with the great majority of the members of the Company, and believe that as long as you remain at the head of the command, it will continue to be in the future, as it has been for some time past, practically impossible to enlist the class of recruits desired by the organization, or to do effective work of any kind, along either military or other lines, and so put Company A numerically as well as otherwise, in the enviable position which it had maintained in the past.

Furthermore, there are a number of ex-members of the company who have positively stated that they will re-enlist in the company under a new commanding officer.

Unless this request is granted, such of the undersigned as have completed their terms of enlistment, will feel obligated to apply for their discharges immediately, and the remainder will feel compelled to apply for the same as soon as their respective terms of enlistment have expired.

We would further respectfully request that, in case you decide not to comply with the above request, you then forward the enclosed communication to the commanding officer, Third Brigade, N. G., N. Y., through the proper channels.

Respectfully,

EDWARD J. WOLFE,
Quartermaster Sergeant.

H. B. ANDERSON,
JEPHTHA B. MacFARLANE,
Sergants.

BORDEN H. MILLS,
WM. J. KATTEIN,
Corporals.

ROBERT H. BELL,
HARRY L. BENDER,
FRANK SHAFER,
HENRY J. FUNK,
LEWIS L. EVANS,
THOMAS S. H. CLARK,
OSCAR D. WENDALL,
S. D. GRIFFIN,
J. H. WISELY, Jr.,
F. HAGGERTY,
GEORGE F. CHILD,
E. M. CLARY,
M. H. MULLENNEAUX, Jr.,
F. H. NEWMAN,
C. R. CHASE,
GEORGE W. RUSO,—H. C.
P. J. FOGARTY,

Privates.

GEO. B. SMITH,
Musician.
REYNOLDS K. TOWNSEND,
RICHARD M. COX,

Privates.

E. C. CREAR,
Musician."

LIII. The document was prepared by Sergeant MacFarlane, Corporal Kattrein, Quartermaster-Sergeant Wolfe and Corporal Mills, (S. M. 348) and all four were instrumental in procuring the signatures to it (S. M. 349). The petition originated with these four men, and was not instigated or advised by, or discussed with any officers outside of the Company until after it had been presented to Captain Coates. (S. M. 379, 343.)

LIV. Quartermaster-Sergeant Wolfe was returned to the ranks at his own request a few days before he was discharged (S. M. 396). He received a full and honorable discharge dated March 22, 1909. (S. M. 23, 396.)

Corporal Kattrein received his full and honorable discharge about the last week in March. (S. M. 23, 424.)

Sergeant MacFarlane received his full and honorable discharge about three weeks or a month after the petition was handed to Captain Coates. (S. M. 23, 383.)

Corporal Borden H. Mills received his full and honorable discharge. (S. M. 23.)

LV. The discharges of these four men had been signed by Colonel Pruyn before he was informed of the petition for Captain Coates' resignation. (S. M. 141, 146.)

LVI. Captain Coates thereafter showed the petition to Colonel Pruyn and stated that he had received it and that a copy had been sent to brigade headquarters. (S. M. 146, 147.)

LVII. Colonel Pruyn asked Captain Coates what the prospects were (S. M. 147). Captain Coates said he could build the company up, that he regretted the trouble; that men had been elected to membership in the company, and when he came to swear them in, some one had been to them and persuaded them not to join. (S. M. 147.) No names were mentioned and no action was taken by Colonel Pruyn in regard to the matter. (S. M. 148.)

LVIII. On April 14, 1909, Wolfe, MacFarlane, Mills and Kattrein sent the following written communication, signed by them, to Colonel John I. Pruyn, the commanding officer of the regiment. (S. M. 139, 140, 141, People's Exhibit 17, S. M. 326.)

ALBANY, N. Y., April 14, 1909.

Colonel JOHN I. PRUYN, *Yonkers, N. Y.*:

DEAR SIR.—It is the purpose of this letter to bring to your attention certain facts and conditions as the undersigned believe them to exist in Company A, of the 10th Infantry, N. G., N. Y.

The four men who sign this document were lately given full and honorable discharges from Company A, without request on their part, the giving of which was prompted by the fact that we were chiefly instrumental in causing a petition, signed by over half the enlisted men, to be presented to the commanding officer, requesting him to resign his command.

We took such action fully believing that we were acting for the best interests of the company. Whether we were or were not right, from a military standpoint, we do not intend to argue. We

still feel that if there is any fault to be found with us, it is with our methods, not with our motives.

We are not writing this letter with the idea of making any complaint, or with the hope or thought that you will take our word for the facts as we see them. All we ask of you is that you read what we have to say carefully, and take such action in the premises as to you may seem just and proper. We feel certain, however, that if you will thoroughly investigate the situation you will find that conditions are practically as we set them forth herein.

Previous to the time when the present commanding officer was elected, the company was in a sound and healthy state, as to numbers, discipline and general efficiency. Shortly after his taking command, a period of retrogression set in, which it has been impossible to check. A great many of our eldest and best men have from time to time taken their discharges, for no reason apparent at the time, but it has subsequently developed in a great many instances that the real reason was the fact that Captain William B. Coates was in command of the company.

About three years ago a considerable number of the older men of the company, who then comprised a greater proportion of the total strength of the company than they do now, tried to devise some plan of securing a new commanding officer. At that time nothing definite was done, and matters ran along for about a year, when Captain Coates was asked to resign by the then regimental commander.

At that time we were importuned to annex our signatures to a petition addressed to the then colonel, which in effect protested against his request for the captain's resignation, the argument used in soliciting our signatures being, that such action by the higher authorities was prompted by personal animosities.

It was agreed that we could "keep our own house in order" without outside assistance, and we were assured that when the company wanted Captain Coates to retire from command he would willingly do so. Under such representations, many men signed this document, though it was their real desire that he resign.

Because of the action of the men in this matter, Captain Coates remained in command of the company.

Shortly after the happening Captain Coates announced to the company, at the celebration of their anniversary, that he was then making his last appearance as commanding officer.

Those who thought that conditions could not possibly improve until he resigned have waited patiently for this event to take place, overlooking a great many things which have happened from time to time which they believed were detrimental to the best interests of the organization.

The culmination of this feeling was reached on March 11th of this year, when Captain Coates called a meeting of the Council of Administration, and proposed to them that they authorize himself and Sergeant James L. Nolan to conduct an athletic

event in the armory under the auspices of Company A, the proceeds thereof to go to himself and Sergeant Nolan PERSONALLY.

The council was, to say the least, taken aback that the commanding officer should make such an unheard of proposition.

When asked for details, he at first declined to make any definite statement. When asked as to what the company was to get out of it, he stated that if they (Captain Coates and Sergeant Nolan) made enough, they would give the company a couple of hundred dollars. This proposition was not looked upon with favor, as coming from a commanding officer, as it was felt that such a course was practically allowing a company commander to take financial advantage of his position as such.

He then proposed that he be given the use of the company name for the purpose only of obtaining the use of the drillshed.

To this there was also opposition, as the members of the council felt that it might better be run as an entirely personal affair, and that the company should not be in any way mixed up in it. It was suggested to the captain that he personally get the use of the drillshed from the proper authorities. This he did not wish to do, and it was finally agreed by the council that he was to be allowed to use the company name in obtaining the use of the drillshed, and that thereafter the company name was not to be used in any way in connection with the affair, the company to receive 20 per cent. of the net profits. The proposition was placed before the council so abruptly that it was not until afterwards that the true nature of the transaction became manifest.

On March 17th a local newspaper published an article, in which it was stated that Company A was to hold a marathon meet on April 3d. Following the publication of this article, the proceedings at the council meeting became known to the members generally, and so aroused them that the long existing feeling or discontent with the condition was brought to a focus, and the petition referred to above was prepared and forwarded. A copy of this petition, with the signatures that were thereto attached, accompanies this letter.

His only reply to such communication was to hand full and honorable discharges to the undersigned, whom he considered to be the leaders in the movement. Since that time eleven others have applied for their discharges, one of whom has today received the same. We are informed that others intend to take similar action.

Now, we have been told, since the letter in question was written, that the sending of it was insubordination, and conduct prejudicial to good order and discipline. But we wish to assure you that it was signed, by every man whose name it bears, with one idea only in mind — the idea that the desired action on the part of the commanding officer would be highly beneficial to the company, and would be the only means of saving it from absolute disintegration.

We are all men who have served long and, we think we can safely say, faithfully in Company A.

Mr. Wolfe has served nearly ten years, during three of which he has been quartermaster-sergeant, and had a very high average of attendance at drills during his entire enlistment.

Mr. MacFarlane, a sergeant for about three years, has earned a ten-year decoration for long and faithful service, has been financial secretary of the civic organization, and has served the company on a number of committees, athletic and otherwise.

Mr. Mills has been a corporal for three years, and in May would have completed his eleventh year of service, during four of which he held a 100 per cent. medal for attendance, and during five of which he was either secretary or treasurer of the civic organization. He also holds a ten-year decoration, and is secretary of the Old Guard of the company, which comprises among its members some of the most prominent citizens of Albany.

Mr. Kattrein was in his sixth year, had been a corporal for three years, a member of a number of rifle teams, had been in the finals in the annual drill for the "Newman Medal" for the best drilled soldier four times, and was treasurer of the committee which managed an athletic meet held on February 3d, last, netting the company over \$900.

If any of us had "axes to grind," or any *personal* complaint, we would take our medicine and say nothing, but we still believe that what we have done was, and is for the best interests of Company A, once the premier military company of this section of the State. And not only were, and are, we willing to reenlist under a new commander, but personally knew of a number of men, ex-members of the company who took their discharges before this trouble arose because they were not satisfied with conditions, and others who have hitherto refused to join for the same reason, who would all come into the company within a short time after the event in question occurred.

We believe that within two years after a new commanding officer, of the right calibre, took charge, the company could be brought to its full strength. We would certainly use our best efforts to bring that about.

We have not thought of making any charges against Captain Coates. We simply feel that conditions are such that with him as commanding officer the company will, at the very best, do nothing but stand still, and what is more likely, disintegrate entirely, or at least become but a skeleton of its former self.

Citizens of Albany, generally, who are at all conversant with military affairs will testify that Company A is not what it was, and most of them will agree that the fault lies where we put it.

If you will take up this matter from the entirely impartial and unbiased view-point, and look into the situation carefully, we feel confident that you will arrive at the same conclusion that we have. That something must be done to save the company falling to pieces of its own inertia.

We realize perfectly that as between officer and enlisted man the officer has the advantage, and we also realize that if we were

to be allowed to dictate in these matters discipline would be at an end. But we simply took Captain Coates at his word, and events have shown that when he stated that he was ready to get out when his men wanted him to, he was not sincere. And a company of the National Guard is not composed mainly of officers, it also requires men.

It has been our desire to go to Yonkers and obtain a personal interview with you, but owing to the distance and the demands of business this has been impossible. We have been told that you expect to be in Albany the latter part of this week. If you could arrange to give us a portion of your time while here, we would be glad indeed to call upon you at any time and place that you may appoint.

Thanking you for your patience in perusing this extended document, we remain

Respectfully yours,

EDWARD J. WOLFE,
JEPHTHA B. MACFARLANE,
BORDEN H. MILLS,
JOHN H. KATTREIN.

Address, BORDEN H. MILLS, 44 Tweddle Building, Albany, N. Y.

LIX. No action was taken by Colonel Pruyn upon the receipt of this communication. (S. M. 140.) No reply was sent to it. (S. M. 140.)

LX. Kattrein, Mills, Wolfe and MacFarlane had a personal interview with General Lloyd. (S. M. 379, 424.)

ACTION TAKEN BY GENERAL LLOYD.

LXI. General James H. Lloyd sent for Captain Coates, and informed him that he had come to the conclusion that it would be for the best interests of the Guard that he (Captain Coates) tender his resignation, and suggested that he resign and make the announcement as of his own volition, to take effect after the tour of service at Crown Point, (S. M. pp. 32, 33). Captain Coates refused to comply with the suggestion at that time. (S. M. pp. 32, 33.)

LXII. A few days later, General Lloyd sent by mail to Captain Coates, the following written communication. (Peoples' Exhibit 2, pp. 27, 28.)

"HEADQUARTERS THIRD BRIGADE, N. G., N. Y.,

TROY, May 29, 1908.

Captain WM. B. COATES, Albany, N. Y.:

DEAR CAPTAIN.—Our interview was terminated the other day somewhat abruptly by the coming of the brigade clerk. I was about to state that if you desired to avail yourself of the opportunity of resigning that you might make the announcement yourself that

upon your return from the tour of field duty with your Company that you would resign. Thus far no one knows of our meeting and should you make the announcement it would not be known but that you had decided to retire of your own volition. Should you decline to act on my suggestion and refuse to withdraw from the Guard I will have to recommend that the company be disbanded, as I deem it best for the interests of the Guard that such course be pursued.

Respectfully,

(Signed) J. H. LLOYD,
Brigadier-General.

"Over.

"P. S. I would like to have you let me know your decision before June 5th."

LXIII. On June 3rd, 1909, Captain Coates applied for a Court of Inquiry, under M. L. 131, "to inquire into and report on the causes which led the commanding officer, Third Brigade, N. G., N. Y., to write" the letter referred to, claiming that "the threat contained therein to disband the company" unless he should announce his intention to resign, carried with it an imputation that he was not fit or competent to retain his commission, and was a reflection upon his character as an officer and a gentleman. (People's Exhibit 1, S. M. pp. 7, 8 and 9.)

LXIV. Having forwarded his application for a Court of Inquiry, Captain Coates later communicated with General Lloyd by telephone, and stated that he had decided to resign (S. M. p. 29) and had dated his resignation to take effect July 7th, and asked permission to withdraw the request for a Court of Inquiry. (S. M. p. 30.)

LXV. General Lloyd informed Captain Coates that he had received no information of the request for a Court of Inquiry, either personally or through headquarters. (S. M. p. 30.)

LXVI. General Lloyd stated to Captain Coates that he was willing that he should go to camp with his company, and Captain Coates then said he would send his resignation forward to take effect July 7th. (S. M. p. 30.)

LXVII. On June 7th Captain Coates prepared and signed his resignation, dating it July 7th (S. M. p. 12, People's Exhibit 67, S. M. 663), and handed it to Captain Allan L. Reagan, the adjutant of the regiment, stating "Here is my resignation dated July 7th. I give it to you to hold until that day." (S. M. pp. 12, 13, 826.)

LXVIII. On June 10th Captain Coates again communicated with General Lloyd, by telephone, and stated that he had decided to withdraw his resignation, and desired that the request for a Court of Inquiry be forwarded. (S. M. pp. 30, 31.)

LXIX. General Lloyd informed Captain Coates that in that case he would recommend that the company be disbanded. (S. M. 31.)

LXX. Captain Coates then forwarded a written communication to the adjutant, 10th Regiment, requesting the return of his resig-

nation (People's Exhibit 40, S. M. pp. 14, 595), and his resignation was returned to him by the adjutant. (S. M. pp. 14, 827, 828.)

LXXI. On June 17th (S. M. 32) General Lloyd saw Captain Coates in the Headquarters of the National Guard, and told him that "by direction of the Major-General commanding he demanded his resignation." (S. M. p. 31.) Captain Coates refused to comply. (S. M. p. 31.)

LXXII. Thereupon, on the same date, General Lloyd forwarded his recommendation that Company A be disbanded, and that pending action by superior headquarters the company be excused from participating in the tour of field service that was to begin at Crown Point on June 27th. (S. M. p. 34; People's Exhibit 4, S. M. 35.)

LXXIII. The recommendation was approved by the Major-General Commanding the Division National Guard, June 17, 1909, in the following indorsement upon the exhibit:

" FIRST INDORSEMENT.

HEADQUARTERS DIVISION, N. G., N. Y.,
CAPITOL, ALBANY, June 17, 1909.

Respectfully forwarded to the Adjutant-General, S. N. Y. Approved and recommended. It will have a very beneficial effect.

(Sgd.) CHARLES F. ROE,
Major-General."

(People's Exhibit 4, S. M. 35.)

LXXIV. The recommendation for disbandment was upon the ground that "The company is and has been for some time below the minimum strength prescribed by law, and it is not believed that conditions will improve under the present administration." (People's Exhibit 4, S. M. 35.)

LXXV. The enlisted strength of Company A on the following dates, as shown by the semi-annual returns, was as follows (S. M. 564, 1831):

March	31, 1905	(10th Battalion)	55
September	30, 1905	(10th Regiment)	52
March	31, 1906	"	44
September	30, 1906	"	39
March	31, 1907	"	50
September	30, 1907	"	61
March	31, 1908	"	48
September	30, 1908	"	47
March	31, 1909	"	40

LXXVI. The monthly average enlisted strength of Company A, as shown by the reports of attendance, has been up to the minimum of fifty-eight prescribed by law but once since the organization of the regiment, that in November, 1907, when its enlisted strength was sixty. (People's Exhibit 154, S. M. 1754-1765.)

LXXVII. On June 17, 1909, the date of the recommendation for the disbandment of Company A, the number of enlisted men upon the roll of the company was forty-two, sixteen below the minimum prescribed

by the Military Law. (M. L. 35.) (People's Exhibit 159, S. M. 906.)
 LXXVIII. The names and grades of the enlisted men, together with their respective dates of enlistment, and the personal record of service and percentage of attendance of each during the last drill season, up to June 17, 1909 (the date of the recommendation for disbandment), are as follows (People's Exhibit 159, S. M. 906):

	NAME.	Date of enlistment.	Events.	Missed.	Per cent.
1	1st Sergt. Gavit	Dec. 20, 1897	30	0	100
2	Sergt. Nolan	Sept. 15, 1899	30	12	60
3	" Anderson	Oct. 14, 1901	30	6	80
4	" Coffin	Sept. 24, 1908	30	1	96.66
5	" Smith	April 15, 1901	30	0	100
6	Corp. Becker	Aug. 4, 1902	30	13	56.66
7	" Wiswell	March 12, 1908	30	0	100
8	" Bell	Jan. 14, 1902	30	10	66.67
9	Mus. Crear	Feb. 7, 1907	30	1	96.66
10	" Smith	Feb. 7, 1907	30	14	53.33
11	Priv. Anderson	March 23, 1908	30	18	40
12	" Bender, H. L.	May 2, 1904	30	8	73.33
13	" Bender, W. M.	Nov. 16, 1908	28	1	96.42
14	" Boothby	May 2, 1904	30	11	63.33
15	" Chase	April 15, 1907	30	6	80
16	" Childs	Sept. 25, 1908	30	4	86.66
17	" Clary	April 11, 1907	30	12	60
18	" Cox	April 15, 1907	30	3	90
19	" Evans	Jan. 21, 1907	30	8	73.33
20	" Fogarty	April 11, 1907	30	4	86.66
21	" Griffin	Feb. 25, 1907	30	4	86.66
22	" Haggerty	Feb. 25, 1909	13	9	30.76
23	" Hourigan	April 4, 1907	30	11	63.33
24	" Martin	April 29, 1909	4	0	100
25	" McMurray	April 21, 1909	6	0	100
26	" Mullenneaux	Jan. 17, 1907	30	4	86.66
27	" Murlin	March 5, 1909	12	2	83.33
28	" Newman	March 14, 1907	30	12	60
29	" Olena	Dec. 5, 1904	30	0	100
30	" Oneill	May 3, 1909	4	0	100
31	" Rosche	Jan. 21, 1909	16	0	100
32	" Schoonmaker	April 22, 1909	6	1	83.33
33	" Slocum	Dec. 14, 1908	24	3	87.50
34	" Sheehan	April 4, 1907	30	12	60
35	" Snowden	Jan. 28, 1909	15	1	93.33
36	" Thompson	June 17, 1909	0	0	.00
37	" Van Atten	Jan. 21, 1909	16	0	100
38	" Townsend	Dec. 30, 1907	30	1	96.66
39	" Wendell	April 2, 1906	30	1	96.66
40	" Wilson	May 14, 1909	1	0	100
41	" Wisely	April 23, 1907	30	1	96.66
42	" Clark	Oct. 7, 1907	30	7	76.66

LXXIX. There were ten enlisted men upon the roll of Company A June 17, 1909, who had performed less than 70 per cent. of the duty prescribed by law and orders during the last preceding drill season. (People's Exhibit 159, S. M. 906.)

Sergeant Nolan, out of 30 events, missed 12; Corporal Becker, out of 30 events, missed 13; Corporal Bell, out of 30 events, missed 10; Musician G. B. Smith, out of 30 events, missed 14; Private Anderson, out of 30 events, missed 18; Private Boothby, out of 30 events, missed 11; Private Clary, out of 30 events, missed 12; Private Hourigan, out of 30 events, missed 11; Private Newman, out of 30 events, missed 12; Private Sheehan, out of 30 events, missed 12. (People's Exhibit 159, S. M. 906.)

LXXX. There were eight enlisted men upon the roll of Company A June 17, 1909, whose terms of enlistment had expired (First Sergeant

Gavit, Sergeants Nolan and Anderson, Corporals Smith, Becker and Bell, Privates Bender and Boothby). (People's Exhibit 159, S. M. 906.)

LXXXI. Private Clary has removed to Poughkeepsie, and will not be able to attend drills. (S. M. 710.)

LXXXII. Private Evans, enlisted in January, 1907, has applied for his discharge for business reasons. (S. M. 761.)

LXXXIII. Private Newman, enlisted March, 1907, has applied for his discharge for business reasons. (S. M. 766, 767.)

LXXXIV. Charges of insubordination and conduct to the prejudice of good order and military discipline are pending against Private Joseph A. Wisely, Jr. (S. M. 608-613.)

LXXXV. Musician E. C. Crear, while in the guard tent at Crown Point, June 29, 1909, poured pennyroyal upon the face of Gus Pfeiffer, a member of Company C, causing him serious injury (S. M. 1312, 1322, 1426), and repeatedly denied upon his examination that he had committed the act. (S. M. 1431, 1432.) He finally admitted the act, and the fact that he had perjured himself. (S. M. 1616, 1618, 1621, 1624.)

LXXXVI. The average strength present during the tour of field service at Crown Point, June 27 to July 6, 1909, was three officers and twenty-nine enlisted men. (People's Exhibit 155, S. M. 1766.)

LXXXVII. First Lieutenant Willard H. Donner was commissioned in his present rank March 16, 1909. (S. M. 248.) There has been a lack of cordiality in the relation between Captain Coates and himself since the circulation of the petition for Captain Coates' resignation. (S. M. 250, 258, 259.)

LXXXVIII. Second Lieutenant Jacob S. Kingsbury was commissioned December 27, 1906. (S. M. 292.)

LXXXIX. Lieutenant Kingsbury was not Captain Coates' choice for the office. (S. M. 1790.)

XC. The general character, intelligence and physical qualifications of the enlisted men of Company A is good.

XCI. Non-commissioned officers' schools have not been frequently or regularly held or properly conducted nor has the instruction been of a character that impressed itself upon the minds of the participants. (S. M. 470, 471, 476, 479, 480, 495, 496, 497, 498, 511, 512, 513, 519, 520, 543, 672, 673, 701, 702, 716.)

XCII. The company has no permanent squad formation at the present time on account of the small number of men. (S. M. 1772.)

XCIII. The payment of Company dues is not generally enforced. (S. M. 1779.)

XCIV. Until the present drill season it had been the custom in Company A for the Membership Committee to ascertain qualifications of applicants for enlistment and make report thereof to the Council of Administration (S. M. 252, 253, 1779) consisting of the three commissioned officers, the first sergeant, the quartermaster-sergeant, the treasurer, the recording and corresponding secretaries and seven members of the company. (S. M. 302.)

XCv. On account of the difficulty in getting a quorum of the committee, the Captain exercised his prerogative and enlisted men according to his own judgment. (S. M. 253, 254, 1780.)

XCVI. The right of the commanding officer of the company to so enlist new members without consulting the Council of Administration, was not generally understood by members of the company, and was the occasion of some dissatisfaction. (S. M. 253, 254, 1780.)

DELAY IN DISPOSITION OF DELINQUENCY CASES.

XCVII. The last Delinquency Court for the trial of enlisted men of Company A was held on the 22nd day of May, 1908. (S. M. 1038.) Since that date twenty-four returns of delinquents and delinquencies have been made by the commanding officer of Company A. (Exhibits 97-a to 120 inclusive), and two hundred and nine delinquency cases have been reported, and no session of the Delinquency Court has been held. (S. M. 1038.)

DIFFERENCE OF OPINION AS TO AUTHORITY IN 2ND BATTALION.

XCVIII. In December, 1907, Captain William B. Coates, in command of Company A, marched his company from the drill floor before recall. Upon inquiry by the Major of his Battalion as to the reason why the company was marched from the floor before recall, the Captain of Company A returned the message "That is my business why I took the company off the floor." (S. M. 217.)

XCIX. The Major directed Captain Coates to report to him personally, and when he reported, asked him if he had sent that message, and Captain Coates answered, "Yes, I have but one commanding officer." (S. M. 218.)

C. The Major sent a complete statement of the case to Colonel Denike, then commanding officer of the regiment, and requested permission to prefer charges. The matter was taken up between the Colonel and Captain Coates, and several weeks later Captain Coates apologized to Major Staats in the presence of the company. The apology was satisfactory to Major Staats and no further action was taken in regard to it. (S. M. 218.)

IN RESPECT TO THE RECOMMENDATION THAT COMPANY C, TENTH INFANTRY BE EXCUSED FROM FIELD SERVICE WITH THE REGIMENT.

CI. Major John P. Treanor, Inspector General, 3d Brigade, concluded his report of an inspection of Company C held on the 15th day of April, 1909, with the following recommendation. (People's Exhibit 15, S. M. 69.)

"Company C, 10th Regiment (38th Sep. Co.) is not worthy of existence. It is a useless expense to the State. In justice to the good companies, it should be immediately disbanded."

CII. On May 9, 1909, Major W. M. Kirby, Ordnance Officer, Division National Guard, N. Y., made the following special report to the major-general, commanding the division, in respect to Company C, 10th Regiment. (People's Exhibit 16, S. M. 70, 71, 998.)

"HEADQUARTERS DIVISION NATIONAL GUARD, NEW YORK,

OFFICE OF ORDNANCE OFFICER,

AUBURN, May 9, 1909.

Adjutant-General, Div. N. G., N. Y., Albany, N. Y.:

SIR.—In connection with the general practice of Company C, 10th Infantry, at Rensselaerwyck Range May 6th, it is deemed necessary to make the following special report.

Of the fifty-four present practicing, nineteen failed to qualify as marksmen.

The average attendance at armory practice for the five months beginning with November was 31.60 per cent. all of which is a very poor showing in one of the most essential requirements of the instruction of the soldier.

Furthermore the conduct of the men was extremely unsoldierly; there was ball playing, climbing on the roof of the range house, with running about there and dancing; slamming the heavy window shutters and many other violent and noisy antics; the officers seemingly having no control over the men when out of ranks as was demonstrated on this occasion.

The discipline and courtesy of the organization demonstrated on the range was extremely poor; in fact it might better be said there was none.

In my opinion the company is not up to the required standard of the National Guard and that its services might better be dispensed with than to be continued in the service in its present condition.

Respectfully,

W. M. KIRBY,

O. O. Div., N. G., N. Y."

CIII. On May 11, 1909, the report was referred to the commanding officer, 3d Brigade, with the following indorsement: (People's Exhibit 16, S. M. 72.)

"FIRST INDORSEMENT.

HEADQUARTERS DIVISION, N. G., N. Y.,
280 BROADWAY, May 11, 1909.

Respectfully referred to C. O., 3d Brigade. The Major-General wishes you to recommend that this company be disbanded for not conforming to the requirements of the service.

(Sgd.) FRED PHISTERER,

Adjutant-General."

CIV. On May 26, 1909, in accordance with the request of the Major-General commanding, the report was returned by the commanding officer, 3d Brigade, with the following recommendation:

"SECOND INDORSEMENT.

HEADQUARTERS THIRD BRIGADE, N. G., N. Y.,
ALBANY, May 26, 1909.

Respectfully returned to the Adjutant-General Division, National Guard. In accordance with the wishes of the Major-General commanding, I hereby recommend the disbandment of Company C, 10th Infantry.

(Sgd.) JAMES H. LLOYD,
Brigadier-General."

(People's Exhibit 16, S. M. 72.)

CV. On June 17, 1909, the Brigade Commander forwarded the following request, that pending action upon the recommendation for disbandment the company be excused from participating in the tour of field service of the regiment. (People's Exhibit 5, S. M. 36.)

HEADQUARTERS THIRD BRIGADE, N. G., N. Y.,
ALBANY, June 17, 1909.

The Adjutant-General, State of New York:

SIR.—I have the honor to request that Company C, 10th Regiment, Infantry, N. G., N. Y., be excused from participating in the tour of field service of the regiment, June 27th to July 6th, 1909. This company is in poor condition and has been recommended for disbandment by the Inspector-General, 3d Brigade, and by the Ordnance Officer, Division, National Guard, in charge of Small-Arms Practice at Rensselaerwick rifle range, and pending action upon these recommendations for disbandment it is believed that the condition of the company does not warrant the expenditure which would be necessary and incident to such field service.

Respectfully,
(Signed) JAMES H. LLOYD,
Brigadier-General."

AS TO THE CONDITION OF COMPANY C, AND THE CAUSES WHICH LED TO THE RECOMMENDATIONS.

CVI. At the annual inspection, February 9, 1905, there were present 3 officers and 44 enlisted men — total, 47; there were absent 5 enlisted men, making the aggregate strength, 52. (People's Exhibit 11, S. M. 55, 56.)

CVII. In respect to the condition of the company at the time of the inspection, the inspector, 3d Brigade, reported:

"The discipline, military appearance and behavior of the men was fair. Less than a minimum company was present at inspection and muster. Drills were resumed November 10th, 1904, average percentage of attendance since then, 14 events, is 79.04.

There is a gain of ten and a loss of twenty-one men since last report.

Its work in the battalion drill was satisfactory."

CVIII. The average strength, attendance at drills and percentage of attendance of Company C for the drill season 1905-1906, the first after the organization of the Tenth Regiment were as follows: (People's Exhibit 154 S. M. 1756-1765.)

MONTH — YEAR.	Average strength present and absent.	Average present.	Average percentage of attendance.
October, 1905	53	38	72
November, 1905	54	38	70
December, 1905	54	38	72
January, 1906	53	33	62
February, 1906	53	30	57
March, 1906	51	33	65
April, 1906	48	38	79

CIX. At the annual inspection April 24, 1906, there were present 2 officers and 39 enlisted men—total, 41; there were absent 4 enlisted men, making the aggregate strength 45. (People's Exhibit 12 S. M. 57).

The gains in membership for the year were seventeen (17); the losses for the same period, twenty-four (24), showing net loss of seven (7). (People's Exhibit 12, S. M. 57).

CX. In respect to the condition of the company, the Inspector, 3rd Brigade, at that time reported:

"The company is considerably below the minimum; and when twelve men who are now entitled to their discharge by reason of the expiration of their contract with the State receive the same, and at least seven other men are either disciplined or discharged for non-attendance, but a skeleton organization of doubtful efficiency remains. The C. O., Lt. Gresham, although he has been in the service twenty-one years, and is a far better officer than the Second Lieutenant Oliver, is not, in my opinion, the man who can recruit up and successfully administer the affairs of the company.

"The Albany Infantry Companies for several years have steadily been losing ground; they have been small, compared with other companies, in numbers; never in my recollection have they been at any one time of maximum strength. The Albany officers inform me that the sentiment of business men is decidedly hostile to the National Guard; that they use whatever influence they possess to discourage or prevent enlistment; with such a feeling existing, the companies must demonstrate by their personnel, numbers, efficiency and fidelity to the trust reposed in them, that they are worthy of, and entitled to their confidence and moral support; this without any disparagement to the battalion, excepting one company, as far as number and efficiency go, it will compare favorably with a like number of men in most organizations, for all duties it may be called upon to perform. There are too many

small companies in Albany, and when one is both small and inefficient, in justice to the good, hard-working companies, it should be disbanded. It would be far better to have fewer companies and better ones. This company has had three courts during the year, 17 gains and 24 losses, net loss, 7 men. Average attendance for year, 53 events, 67.11%. It stands 172 in 182 organizations for field S. A. P. season 1905 and was better there than on previous year, has 12 men entitled to their discharge, and 7 men who are not attending duty; add to this a divided sentiment as to who should be captain, with Lieutenant Oliver holding the Roach followers, and there is a disrupted organization.

"I believe the service would be improved by the immediate disbandment of this company. The officers might be assigned as 2nd Lt. Co. A, 26th Sep. Co. and 2nd Lt. Co. D, 45th Sep. Co.

"JOHN P. TREANOR,
Inspector 3rd Brigade N. G."

CXI. At the same inspection, Colonel William H. Chapin, Inspector National Guard, Inspecting and Mustering Officer, made the following report of his observation of the company. (People's Exhibit 25 S. M. 568-569).

"Company C. Lieut. Christopher Gresham, Commanding, with a record of twenty-one years in this organization, a faithful, earnest and conscientious officer, is a company that is apparently suffering with a deadly blight of stagnation, due to indifference or perhaps opposition.

"The happy chance of making a new start, beginning on new lines most favorable and advantageous, is seemingly unappreciated by the enlisted men.

"Passive compliance with orders, lack of interest in acquiring information — lethargy that shows in everything, does not promise well for future attainment or advancement. Service that is not cheerfully performed and with view of rendering to the full a citizen's duty is not of much value to the State.

"The time is ripe for action, if this company expects to keep pace with the progressive movement now under way in the regiment. An inspection is an opportunity to show the best work — the property conditions, the needs, the books, administrative methods, etc., all that a company has done or is doing, that it is satisfied with or proud of — it is a mistake to consider an inspection in any other way than something to be welcomed and used for the betterment of a company.

(Signed) WILLIAM H. CHAPIN,
*Inspector National Guard, Inspector and
Mustering Officer.*"

CXII. The average strength, attendance at drills and percentage of attendance of Company C for the drill season 1906-1907 were as follows (People's Exhibit 154, S. M. 1756-1965):

MONTH — YEAR.	Average strength present and absent.	Average present.	Average percentage of attendance.
October, 1906	46	27	59
November, 1906	44	32	73
December, 1906	47	40	85
January, 1907	51	43	84
February, 1907	54	46	85
March, 1907	55	47	85
April, 1907	58	50	86

CXIII. At the annual inspection April 22, 1907, there were present two (2) officers, fifty-three (53) enlisted men — total, 55. There were absent two (2) enlisted men, making the aggregate fifty-seven (57). The gains for the year were 21; the losses 9, showing a net gain of 12. (People's Exhibit 13, S. M. 61.)

CXIV. Of the condition of the company the inspector, 3d Brigade, reported: "Thirteen men appear to have served the full term of their enlistment and should be discharged and re-enlisted.

There have been 17 enlistments, 3 gains by taken up and 1 by promotion — 21. Losses have been: By full and honorable discharge, 3; by discharge, 1; by dishonorable discharge, 1; by removal, 3, and promotion, 1 — 9.

The net gain of twelve men is praiseworthy.

* * * * *

The condition of this company, which was so deplorable last year, has improved in the silence and steadiness of the men in ranks, in the increase of members and in attendance at drill. Captain Oliver was commissioned with rank from October 26, 1906. He appears anxious to have a good company and in a reasonable time may demonstrate his ability to command." (People's Exhibit 13, S. M. 61-63.)

CXV. Of the same inspection, Colonel Frederick Phisterer, Assistant Adjutant-General, National Guard, as inspecting and mustering officer, reported:

"This company has a new captain since October, 1906, and has improved very much indeed, and if it keeps on this way will by the next annual inspection, take its place among the good companies of the National Guard. It made a gain, since last muster, of twelve men and contains seventeen new members." (People's Exhibit 29, S. M. 574-575.)

CXVI. The average strength, attendance at drills and percentage of attendance of Company C, during the drill season of 1907-1908, were as follows (People's Exhibit 154, S. M. 1762-1763):

MONTH — YEAR.	Average strength present and absent.	Average present.	Average percentage of attendance.
November, 1907	50	43	86
December, 1907	51	37	73
January, 1908	52	39	75
February, 1908	53	45	78
March, 1908	57	47	82
April, 1908	58	44	76

CXVII. At the annual inspection, March 30-31, 1908, there were present, 3 officers and 52 enlisted men, total, 55. There were absent 2 enlisted men, making an aggregate of 57. (People's Exhibit 14, S. M. 63.)

CXVIII. Of the condition of the company at the inspection, the brigade inspector reported:

"There have been twenty-one gains and twenty-one losses for the year. Average attendance at thirty-eight events since last inspection, including voluntary tour of service at Cooperstown from August 9 to 11, 1907, and field service with regiment at Felts Mills August 31 to September 7, 1907, is 78.57. This is unsatisfactory. Attendance at Cooperstown was 57.4 per cent, and at Camp Hughes, 80. Report book shows that ten men are not properly attending to their military duties; they should be disciplined or discharged.

Eleven men who have served the period of their enlistment are apparently entitled to be discharged and should be.

* * * * *

The company is not sharing in the almost general prosperity throughout the brigade. Attendance at this inspection has not been equalled once since last inspection. Men are poorly instructed; those who will not attend should be gotten rid of. There is no good reason for trying to keep men in the service in time of peace against their will. For these conditions, the captain has a ready excuse to offer whenever the occasion may arise.

As long as affairs are administered as at present, there can be no permanency of achievement, no proper development of what might prove to be the nucleus of a good company." (People's Exhibit 14, S. M. 64, 65.)

CXIX. At the same inspection the Inspector, Division N. G., N. Y., reported:

"Two privates absent, one sick, the other no excuse.

Officers good, but not fully equipped. Enlisted men good. Musicians cannot sound drill signals. Company good and fully equipped for field service. The company should be stronger.

Property well taken care of. The shelves on which surplus property is kept are not covered; they are open to dust, etc. Gun racks unsatisfactory. Some of the belts and haversacks were dirty, and the adjustment not good." (People's Exhibit 70, S. M. 818.)

CXX. The average strength, attendance at drills and percentage of attendance of Company C, during the season of 1908-1909, were as follows

MONTH — YEAR.	Average strength present and absent.	Average percent present.	Average percentage of attendance.
November, 1908	51	44	86
December, 1908	50	37	74
January, 1909	50	41	82
February, 1909	53	40	75
March, 1909	57	48	84

(People's Exhibit 154, S. M. 1764-1765):

CXXI. At the annual inspection and muster, March 9, 1909, there were present, 3 officers and 52 enlisted men, total, 55; there was absent one enlisted man; aggregate 56.

The net loss since last annual inspection was one (1). (People's Exhibit 75, S. M. 859.)

CXXII. At an inspection by the brigade inspector on April 15, 1909, there were present 3 officers and 52 enlisted men — total, 55. There were absent 4 enlisted men, making the aggregate 59, or a net gain of two (2) since the last brigade inspection. (People's Exhibit 15, S. M. 66.)

CXXIII. Of the condition of the company, the brigade inspector made the following report:

"The company was inspected as ordered. Men read aloud the general orders for sentinels. Officers appeared with service hats, although service caps were required. There is no permanent squad system. Company was not sized.

"Two men wore service hats, although service caps were required. Several men were without gloves. Some men wore white linen collars. Many collar ornaments were missing. There was considerable talking and gazing about in the ranks, indicating a poor state of discipline. Personnel might be judged from the filthy condition of the drill-room floor, after being used by this company, and to which the captain's attention was directed. It is fully uniformed, armed and equipped. There have been 22 gains and 20 losses for the year. Average attendance at 38 events since last report, including voluntary tour of duty at Kingston with battalion May 30, 31, June 1, 1908, is 78 per cent. This is unsatisfactory. Books and records were found in a satisfactory condition. Records show ten men who have served the period of their enlistment. The Act of May 27, 1908, provides that every officer and enlisted man of the militia who shall be called forth shall be mustered for service without further enlistment. The call of

the President will therefore of itself accomplish the transfer of the organized militia, which is called forth by him from its State relations to its Federal relations. It becomes part of the army of the United States. Above act makes the body of the organized militia available for service during the period of enlistment of officers and men, and within or without the boundaries of the United States. The necessity of discharging these ten men is apparent.

“Forty-three men of a total of 58, 74 per cent., attended general small arms practice season of 1908. Thirty men qualified as marksmen: 7 on first string, 6 as sharpshooters, 2 as expert, 2 as distinguished expert. Figure of merit is 39.65. It was 35.68 for 1907. Company stands 9th in the regiment, and 164th in 193 State organizations. This is a poor showing. Two delinquency courts were held during past year; about six men were tried. Drill by squad, section and the company in close order was very bad; the worst I have seen in years. Platoon drill under the captain was fair. Extended order, the company acting alone, was a poor exhibition. Guard mounting and guard duty was fair. I would respectfully request attention to my report on this company for past three years, 1906, 1907, 1908. I believe a thorough shaking up is necessary in Albany. Something must be done to restore public confidence or overcome hostile sentiment toward the National Guard. At present Company A, 26th Separate Company, has 42 officers and men; Company B, 35th Separate Company, has 58 officers and men; Company C, 38th Separate Company, has 59 officers and men. Ten men have served period of enlistment; should be discharged. Company D, 45th Separate Company, has 63 officers and men. I understand 5 of these men are to be discharged at once, and 7 men were absent from annual inspection on the 14th instant. It will be seen that three companies, A, B and C, are now below the minimum fixed by M. L. 35, namely 58 enlisted men. Company C, 10th Regiment (38th Separate Company), is not worthy of existence. It is a useless expense to the State. In justice to the good companies, it should be immediately disbanded.

JOHN P. TREANOR,

Inspector-General, 3d Brigade, N. G., N. Y.”

AS TO THE CONDUCT OF THE MEN UPON THE RANGE, MADE THE SUBJECT OF MAJOR KIRBY'S REPORT. (People's Exhibit 16, S. M. 70, 71.)

CXXIV. On May 6, 1909, Company C, under command of Captain Oliver, attended the Rensselaerwyck Range for field small-arms practice. (People's Exhibit 16, S. M. 70.)

CXXV. The conduct of members of Company C while upon the Rensselaerwyck Range on May 6, 1909, was boisterous and unsoldierly. (People's Exhibit 16, S. M. 70, 71, 1022, 1153, 1154, 1329,

1331, 1339, 1392, 1393.) Quartermaster-Sergeant Young (1269), Corporal Knight (1165), Corporal Adelske (1158), Privates Brannig (1170), Brady (1180), Dickson (1199), Lussier (1229), Lynch (1240), Mitchell (1251), Pfeiffer, F. W. (1358), Rose (1231), Reineck (1261), Degenaar (1231), Sager (1232), Lawler (1232), Hilton (1232), and others engaged in a game of baseball. (People's Exhibit 141, S. M. 1326.) There was ball playing in the morning. (S. M. 1173, 1176, 1199, 1240, 1413.) Captain Oliver ordered it to be stopped (S. M. 1173, 1331, 1413, 1414), but the playing continued (S. M. 1166, 1229, 1232, 1241, 1251, 1414). Privates Kenyon, Riley, and Woehere! climbed upon and slid down the roof of the rangehouse (S. M. 1330) against the protest of the rangekeeper (S. M. 1330). Men left the range (S. M. 1328, 1393), obtained intoxicating drink (People's Exhibit 144, S. M. 1328), gambled (People's Exhibit 140, S. M. 1326, 312, 1341, 1342), and were allowed to return to the armory when and how they pleased, without formation and without control (S. M. 1252, 1256, 1262, 1392, 1393).

CXXVI. Three men have since been discharged for misconduct at the range and in the armory, and misbehavior generally. (S. M. 1393.)

CXXVII. Men were not properly instructed in the armory range before being taken to field practice. (S. M. 1011, 1012.) Private Lynch had never had a rifle in his hands before starting for the range for field small-arms practice on May 6, 1909. (S. M. 1236.) Private Miller had never loaded or fired a rifle or handled the ball cartridges before going on the range. (S. M. 1248, 1249.) Private Litzeller had never fired the rifle before going on the range. (S. M. 1235.)

CXXVIII. Out of 54 men present at the range, 19 failed to qualify as marksmen. (S. M. 71.)

CXXIX. Major Kirby cautioned Captain Oliver to control the conduct of his men. (S. M. 996, 1027, 1029). Captain Oliver spoke to his men, but the actions complained of continued. (S. M. 1003, 1015, 1020, 1021, 1027, 1392, 1393.) Major Kirby told Captain Oliver that he would make a report upon the conduct of the company upon the range. (S. M. 1027, 1029.) Captain Oliver said he was doing the best he could. (S. M. 1026, 1029.)

CXXX. On May 9, 1909, Major Kirby made his special report of the conduct of the men while upon the range (People's Exhibit 16, S. M. 70, 71), and General Lloyd, conformably with the wishes of the Major-General (S. M. 72), forwarded his recommendation for the disbandment of the company (S. M. 72).

CAPTAIN OLIVER'S RESIGNATION.

CXXXI. Thereafter Major Staats proposed to Captain Oliver that he (Major Staats) take the matter up with General Lloyd in an effort to save the company, and suggested that it might help matters if he, at the same time, could present Captain Oliver's resignation. (S. M. 239, 1402.) Captain Oliver thereupon signed his resignation in blank and undated (People's Exhibit 42, S. M. 598), and delivered it to Major Staats. (S. M. 239, 244, 245, 1402.)

CXXXII. Major Staats saw General Lloyd and obtained his permission to see Major-General Roe. (S. M. 245.)

CXXXIII. On June 1, 1909, Major Staats and Colonel Pruyn interviewed General Roe and informed him of Captain Oliver's resignation and expressed the belief that under another commanding officer the company might be built up, and proposed Dr. Hinman, a first lieutenant of the Medical Corps, for the command of the company. (S. M. 247.)

CXXXIV. Colonel Pruyn forwarded his recommendation for the assignment of Lieutenant Hinman to the command of Company C. (S. M. 149.) The recommendation was returned, disapproved, as unauthorized by the Military Law. (S. M. 150.)

CXXXV. On June 2, 1909, Major Staats turned Captain Oliver's resignation over to the Regimental Adjutant. (S. M. 893.) Captain Oliver was present at the time and protested against the receipt of the same. (S. M. 893.) Captain Oliver was directed to put his protest in writing (S. M. 893) which he did, and the same is made part of the resignation (People's Exhibit 42, S. M. 599).

CXXXVI. No further action was taken upon the document. (People's Exhibit 43, S. M. 600.)

CXXXVII. On June 10, 1909, Captain Oliver tendered the resignation of his commission, bearing that date, and requested that it be accepted. (People's Exhibit 44, S. M. 601.)

CXXXVIII. The same has the approval of the commanding officer, 10th Infantry (S. M. 602), and is still in force awaiting action. (People's Exhibit 44, S. M. 602, 1403, 1385, 1386.)

CXXXIX. On June 17, 1909, Captain Oliver was relieved of command of Company C. (G. O. 153, 10 R., People's Exhibit 45, S. M. 604.)

CXL. On June 21, 1909, the order relieving Captain Oliver of the command of Company C was revoked (S. M. 158, 10 R., People's Exhibit 46, S. M. 605) and the matter is left in its present situation awaiting the action of the Court of Inquiry (S. M. 605).

THE RECOMMENDATION FOR DISBANDMENT OF COMPANY C.

CXLI. The ground of the recommendation for the disbandment of Company C was "for not conforming to the requirements of the service." (First Endorsement People's Exhibit 16, S. M. 72.)

CXLII. The enlisted strength of Company C on the following dates, as shown by the semi-annual returns, was as follows (S. M. 564, 1841):

March 31, 1905.....	10th Battalion.....	51
September 30, 1905.....	10th Regiment.....	50
March 31, 1906.....	".....	50
September 30, 1906.....	".....	44
March 31, 1907.....	".....	54
September 30, 1907.....	".....	52
March 31, 1908.....	".....	54
September 30, 1908.....	".....	51
March 31, 1909.....	".....	56

CXLIII. The enlisted strength of Company C has been below the minimum prescribed by Military Law since the organization of the regiment May 1, 1905. (People's Exhibit 154, S. M. 1756-1765.)

CXLIV. On June 17, 1909, the date of General Lloyd's recommendation that the company be excused from field service, the number of enlisted men upon the roll of the company was fifty (50), i. e., eight (8) below the minimum prescribed by M. L. 35. (People's Exhibit 147, S. M. 1418-1421.)

CXLV. The names and grades of the enlisted men, with their respective dates of enlistment, the number of events missed and the percentage of attendance of each during the drill season 1908-1909 up to June 17th, the date of the recommendation, are as follows (People's Exhibit 147, S. M. 1418-1421):

	Date of enlistment.	No. of events.	Missed.	Percentage of duty.
1st Sergt. Charles F. Scheurer..	Oct. 11, 1888	32	0	100
Q. M. Sergt. John M. Young.....	Sept. 14, 1899	32	1	96.87
Sergt. James B. Greene.....	March 29, 1894	32	0	100
" John J. Brennan.....	Dec. 6, 1900	32	3	90.63
" Thomas J. Luddy.....	Aug. 6, 1896	32	2	93.75
" George H. Kronau.....	Feb. 16, 1904	32	1	96.87
Corp. Henry S. Smith.....	Feb. 25, 1901	32	10	68.75
" John A. Adelske.....	June 9, 1904	32	4	87.50
" Charles E. Knight.....	Oct. 26, 1899	32	3	90.63
Mus. Arthur F. Brannig.....	Nov. 22, 1906	32	2	93.75
Priv. Brady, James T. A.....	Jan. 8, 1907	32	19	40.62
" Brady, Edward J.....	Feb. 18, 1909	16	0	100
" Brennan, Frank J.....	June 18, 1906	32	2	93.75
" Crone, Richard C.....	Jan. 4, 1908	32	2	93.75
" Cunningham, John J.....	April 9, 1908	32	15	53.15
" Dawn, William H.....	Feb. 18, 1909	16	2	87.50
" Degenaar, William P.....	March 19, 1908	32	12	62.50
" Dickson, George W.....	Feb. 4, 1909	17	2	88.23
" Doyle, John E., Jr.....	March 14, 1909	12	0	100
" Engeldinger, Nicholas R.....	Jan. 28, 1909	18	6	66.66
" Ettinger, John D.....	March 13, 1909	2	0	100
" Frank, Julius.....	March 4, 1909	13	1	92.31
" Hilton, Andrew F. J.....	June 8, 1908	32	5	84.38
" Jefferson, Albert G.....	May 23, 1906	32	12	62.50
" Kenyon, Albert S.....	Sept. 30, 1905	32	4	87.50
" Lawler, Algernon G.....	May 2, 1907	32	11	65.63
" Letzelter, Harmon J.....	May 3, 1909	4	0	100
" Lussier, John.....	June 10, 1907	32	2	93.75
" Lynch, Frank J.....	May 3, 1909	4	0	100
" Mauss, Elmer E.....	Dec. 10, 1908	27	4	85.19
" Miller, Daniel H.....	Jan. 14, 1909	21	0	100
" Mitchell, Benjamin H.....	Jan. 4, 1908	32	3	90.63
" Newell, George A.....	Jan. 10, 1907	32	2	93.75
" Pfeiffer, Gus.....	Nov. 7, 1907	32	13	59.38
" Pfeiffer, Francis W.....	Aug. 27, 1908	32	7	78.13
" Poole, William.....	June 7, 1904	32	7	78.13
" Pritchard, James E.....	Nov. 14, 1907	32	1	96.87
" Reineck, Edward H.....	March 25, 1907	32	21	34.38
" Rose, Frank S.....	Aug. 31, 1899	32	6	81.25
" Rose, Howard S.....	May 23, 1908	32	2	93.75
" Roy, Lewis P.....	March 1, 1909	14	0	100
" Riley, Andrew J.....	March 22, 1909	10	1	90
" Sager, Charles C.....	Feb. 3, 1908	32	5	84.38
" Sapp, Fred Y.....	Feb. 18, 1909	16	1	93.75
" Schultz, Peter J.....	Feb. 15, 1909	16	0	100
" Sequine, Edward F.....	April 25, 1907	32	11	65.63
" Smith, Joseph F.....	Feb. 15, 1909	16	1	93.75
" Spreague, Elmer.....	June 8, 1908	32	4	87.50
" White, Alfred.....	May 16, 1907	32	1	96.87
" White, John J.....	March 14, 1909	12	1	91.66

CXLVI. There were nine (9) enlisted men upon the roll of Company C, June 17, 1909, who had performed less than 70 per cent. of

the duties prescribed by law and orders during the last preceding drill season.

Corporal Smith out of 32 events missed 10.
Private Brady, J. T. A., out of 32 events missed 19.
Private Cunningham out of 32 events missed 15.
Private Degenaar out of 32 events missed 12.
Private Engeldinger out of 18 events missed 6.
Private Jefferson out of 32 events missed 12.
Private Lawler out of 32 events missed 11.
Private Pfeiffer, G., out of 32 events missed 13.
Private Reineck out of 32 events missed 21.
(People's Exhibit 147, S. M. 1419-1421.)

CXLVII. There were ten (10) enlisted men upon the roll of Company C, June 17, 1909, whose term of enlistment had expired (1st Sergt. Scheurer, Q.-M.-Sergt. Young, Sergts. Greene, Brennan, Luddy, Kronau, Corporals Smith, Adelske and Knight and Private Poole). (People's Exhibit 147, S. M. 1419, 1421.)

CXLVIII. In March, 1909, Colonel Pruyn observed the quarters of Company C in disorder and personally directed Captain Oliver to make an investigation and report. (S. M. 126.)

CXLIX. On March 18, 1909, the janitor of the Armory reported to the commanding officer of the regiment that Private Reineck of Company C, in the presence of other members of the company, committed a nuisance in the company room. (People's Exhibit 56, S. M. 631.) On March 31st, the commanding officer of the regiment referred the report to Captain Oliver and directed him to make an investigation and report. (People's Exhibit 54, S. M. 627, 628.)

CL. Captain Oliver thereafter made application for the dishonorable discharge of four members of his company, Privates Mosher, Sparks, Riley, and Woehel. (People's Exhibit 50, 51, 52 and 53, S. M. 618.)

CLI. The men were given a hearing and they were dishonorably discharged. (S. M. 619, 623, 624, 626.)

CLII. Captain Oliver made no other report of the investigation than is contained in his application for the dishonorable discharge of the four members of his company. (S. M. 641.) Private Reineck is still a member of the company. (S. M. 1394.)

CLIII. Quartermaster-Sergeant Young reported to Captain Oliver that Private Degenaar threw the base of a trophy and a chair in the fire. (S. M. 1270.) He spoke to the captain twice about it and Captain Oliver said that the property would be replaced immediately after camp duty. (S. M. 1271.) Degenaar is still a member of the company. (S. M. 1270, 1564.)

CLIV. Private Lawler (S. M. 1218) enlisted May 2, 1907 (S. M. 1419); he was not eighteen years of age until the following September (S. M. 1219). He made oath at the time of his enlistment that his age was eighteen. (S. M. 1225.)

CLV. Private Miller (S. M. 1224) enlisted January 14, 1909 (S. M. 1419), without the written consent of his parents (S. M. 1246).

He was not twenty-one until the following July. (S. M. 1245.) He has had no occupation for one year and has made no effort to obtain employment. (S. M. 1244.)

CLVI. Private Lynch (S. M. 1236) enlisted May 3, 1909 (S. M. 1419), after his parents had refused to permit him to join (S. M. 1238), swearing that he was twenty-one (S. M. 1237). He was not twenty-one years old until the following 9th of July. (S. M. 1236.)

CLVII. Private Hilton (S. M. 1205) enlisted June 8, 1908 (S. M. 1419), without the consent of his parents (S. M. 1211), swearing that he was twenty-one. He was not twenty-one years old until May 5, 1909. (S. M. 1212.) He has had no employment for two years. (S. M. 1215.)

CLVIII. Private Letzelter (S. M. 1232) enlisted May 3, 1909 (S. M. 1419), has been out of work for eight months (S. M. 1233).

CLIX. The average strength present during the tour of field service at Crown Point, June 27 to July 6, 1906, was 3 officers and 49 enlisted men. (S. M. 1423, 1424.) There were three men absent on June 27th; one of them joined on the following day and remained for the balance of the tour (S. M. 1423, 1424), making the aggregate strength, present and absent, fifty-four.

CLX. The company has no permanent squad system. (S. M. 1141, 1178, 1183, 1384.)

CLXI. The members of the company pay no dues. (S. M. 1143.)

CLXII. Captain Oliver acts as company clerk (S. M. 1365), for which he allows himself \$200 a year (S. M. 1407.)

CLXIII. The company has no system of proposing new members or assisting the commanding officer in ascertaining the qualifications of recruits. (S. M. 279.)

CLXIV. In the effort to maintain the numerical strength of the company, the standard of qualification has been lowered. (S. M. 1381.) Sufficient care is not exercised prior to the enlistment of men to ascertain their qualifications and fitness. (S. M. 1276, 1277, 1248, 1218, 1233, 1236, 1205, 1232, 1234.)

CLXV. First Lieutenant Christopher Gresham was commissioned April 29, 1898. (S. M. 278.)

CLXVI. Second Lieutenant William Buchheim was commissioned March 18, 1907. (S. M. 309.)

CLXVII. The junior officers of Company C have had little opportunity to exercise command, and do not assist the captain in the administrative work of the company. (S. M. 1366.) The captain does all the work. (S. M. 1366, 1414.)

CLXVIII. Captain Oliver is satisfied with the character of the enlisted men of his company. (S. M. 1382.) He believes that men of the calibre of the present membership of the company would make just as good and efficient soldiers in case of need as any in the service (S. M. 1386), but has no desire that the company should go on under its present commanding officer. (S. M. 1403.)

CLXIX. The noncommissioned officers of the company are of good material. All of the noncommissioned officers, with the exception of Corporal Smith, having been doing good duty during the past season. (People's Exhibit 147, S. M. 1419.)

CLXX. With the exception of those noted, the character of the enlisted men of the company is not below that of the other companies of the battalion, and their deficiencies are of a sort that training and discipline may correct.

CLXXI. On June 29, 1908, while the 10th Infantry was in camp at Crown Point, Private Gus Pfeiffer of Company C reported at the hospital and by the surgeon in charge was treated for sunburn of the arms and shoulders and ordered "to quarters" (People's Exhibit 138, S. M. 1315, 1673, 1674) and was so entered in the Company C sick report book. (People's Exhibit 138.) In the report book of the company he was entered as "returned to duty" (S. M. 1373) and for failure to report at a subsequent roll call (S. M. 1375, 1376) on the same day he was placed under arrest and in confinement. (S. M. 1375.) While the man was still in confinement the discrepancy between the entry in the report book and the sick report book was called to the attention of Captain Oliver, and by his orders (S. M. 1373) the entry in the sick book report was erased and the word "duty" substituted under "Surgeon's Remarks" (S. M. 1372, 1373, 1377) and Pfeiffer was left in confinement. (S. M. 1372, 1373.) It was while so confined that Musician Everett C. Crear of Company A poured pennyroyal upon the face of Pfeiffer (S. M. 1616), which entered his eyes and throat (S. M. 1312), causing injuries, by reason of which Pfeiffer was confined in the hospital for one day and was on light duty and under medical treatment for three days. (S. M. 1312, 1676.) The report book of Company C was not properly kept to show, under the personal record, that the man was sick or in confinement during any part of the tour of duty. (S. M. 1368, 1369.)

CLXXII. Lieutenant William F. Wheelock, battalion adjutant, was detailed as president of a delinquency court for the trial of enlisted men of Company C by Special Orders 9, January 16, 1908. (People's Exhibit 152, S. M. 1667.)

CLXXIII. A session of the court for the trial of delinquents of Company C was held January 6, 1909, at which five cases were disposed of. (People's Exhibit 137, S. M. 1081.)

CLXXIV. Since that time thirteen returns of delinquents and delinquencies have been made, and 127 delinquencies reported, but no court has been held. (People's Exhibit 121-123, inc.)

AS TO THE CONDITIONS GENERALLY IN THE SECOND BATTALION, TENTH REGIMENT.

CLXXV. The general condition of affairs in the 2d Battalion, 10th Infantry, and particularly in Companies A and C, have been a matter of consideration ever since the regiment was organized. (S. M. 37.)

CLXXVI. The inspector-general, 3d Brigade, reported April 15, 1909 (People's Exhibit 15, S. M. 68): "I believe a thorough shaking up is necessary in Albany. Something must be done to restore public confidence or overcome hostile sentiment toward the National Guard. At present Company A, 25th Separate Company, has 42 officers and men; Company B, 35th Separate Company, has 58 officers and men; Company C, 38th Separate Company, has 59 officers and men; 10 men have served period of enlistment, should be discharged; Company D, 45th Separate Company, has 63 officers and men; I understand 5 of these men are to be discharged at once and 7 were absent from annual inspection on the 14th instant. It will be seen that three companies, A, B and C, are now below the minimum fixed by M. L. 35, namely 58 enlisted men." (Extract from remarks indorsed upon Report of Inspection of Company, People's Exhibit 15, S. M. 68, 69.)

IN RESPECT TO COMPANY B.

CLXXVII. The enlisted strength of Company B on the following dates, as shown by the semi-annual returns, was as follows (S. M. 564, 1831):

March 31, 1905	10th Battalion	68
September 30, 1905	10th Regiment	57
March 31, 1906	"	59
September 30, 1906	"	59
March 31, 1907	"	68
September 30, 1907	"	64
March 31, 1908	"	66
September 30, 1908	"	67
March 31, 1909	"	56

CLXXVIII. The average strength, attendance at drills and percentage of attendance of Company B for the drill season 1905-1906 were as follows (People's Exhibit 154, S. M. 1765):

MONTH — YEAR.	Average strength present and absent.	Average present.	Average percentage of attendance.
October, 1905	64	49	77
November, 1905	63	46	73
December, 1905	57	35	61
January, 1906	54	40	74
February, 1906	57	45	79
March, 1906	61	46	75
April, 1906	65	55	85

CLXXIX. At the annual inspection and muster of the company, April 25, 1906, there were present 3 officers and 61 enlisted men, total, 64. There were absent 2 enlisted men, making the aggregate strength, present and absent, 66. (People's Exhibit 24, S. M. 566.)

CLXXX. The inspecting and mustering officer made the following report of the condition of the company:

“Company B makes the remarkable showing of 46 gains and 47 losses; the aggregate strength showing but one less than the previous inspection; the work involved must have been tremendous. The officers are confident and hopeful, capable and willing; with a little more time to remould and shape, to adjust and equate, the company should be efficient and serviceable and ready for any requirements.” (People’s Exhibit 24, S. M. 567.)

CLXXXI. The average strength, attendance at drills and percentage of attendance for the drill season 1906–1907 was as follows (computed from People’s Exhibit 154, S. M. 1759–1761):

Average strength present and absent.....	64
Average present	50
Average percentage of attendance	76

CLXXXII. At the annual inspection and muster of the company, April 23, 1907, there were present 3 officers and 66 enlisted men; absent 1 enlisted man. Aggregate, 70. Net gain since last inspection, 4. Of its condition the inspecting officer reported:

A good company, well drilled; has made a small gain in strength since last muster; it contains 21 new members, almost one-third of its strength. The inspection was satisfactory. (People’s Exhibit 28, S. M. 573.)

CLXXXIII. The average strength of Company B, season 1907–1908, was

was	66
The average attendance at drills.....	54
The average percentage of attendance.....	82

(Computed from People’s Exhibit 154, S. M. 1761–1763.)

CLXXXIV. At the annual inspection and muster of the company, March 31, 1908, there were present 3 officers and 66 enlisted men and no absentees; aggregate, 69. Net loss since last inspection, 1. Of its condition the inspecting officers reported:

Officers attentive to duty; not fully equipped. Enlisted men good material, well instructed, steady and attentive; good company, fully equipped for field service. The trumpeters, however, cannot sound the drill signals. (People’s Exhibit 69, S. M. 816, 817.)

CLXXXV. The average strength of Company B during the season 1908–1909 was

1908–1909 was	60
The average attendance at drills was.....	46
The average percentage of attendance was.....	76

(Computed from People’s Exhibit 154, S. M. 1764–1765.)

CLXXXVI. At the annual inspection and muster, March 9, 1909, there were present 2 officers and 58 enlisted men; none absent; aggregate, 60. Net loss since last inspection, 9. Of its condition the inspecting officer reported:

General appearance, military bearing, discipline, courtesy and efficiency as shown by inspection, very good, except Manual of Inspection Arms, which was very poor. (People's Exhibit 74, S. M. 857-858).

CLXXXVII. The names and grades of the enlisted men, their respective dates of enlistment, and the personal record of service and the percentage of attendance of each during the last drill season, 1908-1909, are as follows:

Rank.	NAME.	Enlistment.	Events.	Absent.	Per cent.
1st Sergt.	Frank L. Laraway....	June 2, 1903	45	0	1.00
Q. M. Sergt.	Edward W. Capron..	Sept. 8, 1899	45	8	.822
Sergt.	John J. Snyder.....	Oct. 19, 1903	45	2	.955
"	William F. O'Connor.....	Nov. 25, 1904	45	3	.933
"	D'Arcy J. Burns.....	May 3, 1905	45	11	.755
"	Charles H. Foster.....	Feb. 1, 1909	29	0	1.00
Corp.	Wilfred M. Eades.....	March 1, 1906	45	0	1.00
"	Arthur H. Norris.....	Oct. 23, 1905	45	7	.844
"	Walter W. Schilling.....	Oct. 10, 1906	45	7	.844
"	John E. Lippman.....	May 2, 1905	45	7	.844
"	Arthur W. Brayton.....	Jan. 4, 1906	22	3	.863
"	Neal D. Bascom.....	March 28, 1908	45	0	1.00
Mus.	Frederick J. Collins.....	April 15, 1909	17	3	.823
"	William L. Tiffany.....	Nov. 14, 1906	45	4	.911
Artif.	Charles L. Messer.....	April 13, 1908	45	0	1.00
Priv.	Anderson, Ralph P.....	May 17, 1909	12	12	.000
"	Barnard, Courtney H.....	April 26, 1909	14	1	.928
"	Branlon, William H., Jr...	Oct. 25, 1906	45	2	.955
"	Brayton, Homer L., Jr....	Dec. 31, 1905	45	22	.511
"	Benard, Steve.....	May 28, 1909	11	0	1.00
"	Brown, Edmund L.....	May 12, 1908	45	18	.377
"	Boyer, Andrew F.....	March 12, 1908	45	0	1.00
"	Cadoo, Robinson W.....	May 1, 1907	45	11	.755
"	Cramer, Morris P.....	March 7, 1904	45	1	.977
"	Decker, George W., Jr....	Dec. 23, 1908	36	14	.611
"	Dulin, Joseph J.....	March 31, 1905	45	9	.80
"	Dulin, Robert E.....	July 27, 1907	45	3	.933
"	Franklin, Morris I.....	Dec. 23, 1907	45	16	.644
"	Fisher, John E.....	May 20, 1907	45	2	.955
"	Fitch, Arthur W. B.....	May 1, 1905	45	16	.644
"	Fivey, Frederick J., Jr...	Dec. 23, 1907	45	5	.888
"	Garrison, Irving A.....	May 17, 1909	12	1	.925
"	Goldsmith, Arthur L.....	Feb. 2, 1903	28	14	.50
"	Gonya, Charles C.....	Dec. 2, 1907	45	11	.755
"	Hastings, Frank M.....	Sept. 24, 1906	45	20	.555
"	Herberger, Charles F.....	Oct. 1, 1906	45	17	.622
"	Hill, Charles L.....	Jan. 18, 1904	45	3	.933
"	Horswell, John F.....	April 19, 1906	45	0	1.00
"	Jackson, Francis L.....	Jan. 18, 1904	45	4	.911
"	Jordan, Michael A.....	May 13, 1907	45	1	.977
"	Keleher, Cornelius P.....	April 5, 1909	20	2	.90
"	Lindquest, William H.....	Feb. 15, 1908	45	4	.911
"	McLean, Edward H.....	Nov. 5, 1906	45	9	.80
"	McLean, Hugh B.....	Dec. 12, 1906	45	8	.822
"	Mansfield, John G.....	April 26, 1909	15	0	1.00
"	Meisner, Edward C.....	Dec. 3, 1908	40	11	.725
"	Millis, Andrew J.....	May 26, 1904	13	3	.76
"	Parr, Harris.....	June 3, 1907	45	6	.866
"	Padula, Rocco A.....	May 24, 1909	12	0	1.00
"	Pilger, Charles R.....	Oct. 10, 1906	45	4	.911
"	Shattuck, Henry S.....	Nov. 21, 1904	45	20	.555
"	Searles, George J., Jr....	Jan. 7, 1907	45	7	.844

Rank.	NAME.	Enlistment.	Events.	Absent.	Per cent.
Priv.	Shea, William J.....	Oct. 19, 1906	45	7	.844
"	Stella, Louis J.....	July 15, 1907	45	17	.622
"	Thompson, William J.....	Jan. 18, 1909	32	0	1.00
"	Upjohn, William O.....	April 7, 1904	45	6	.866
"	Vandervolgen, John P.....	Aug. 13, 1907	45	29	.355
"	Wands, Frederick J., Jr. . .	April 15, 1909	17	11	.647
"	Wallace, John	Dec. 29, 1903	45	2	.955
"	Wallace, Wallace A.....	Feb. 21, 1907	45	10	.777
"	Walte, Edward R.....	Feb. 13, 1907	45	1	.977
"	Weber, Frank J.....	March 11, 1909	23	5	.782
"	Wiltsie, John	Jan. 4, 1909	41	23	.538

(People's Exhibit 156, S. M. 1768, 1771.)

CLXXXVIII. There are thirteen men upon the roll whose terms of enlistment have expired. (People's Exhibit 156, S. M. 1768-1771.)

CLXXXIX. There are thirteen men upon the roll who have performed less than 70 per cent. of the duty prescribed by law and orders during the last drill season. (People's Exhibit 156.)

- Private Anderson out of 12 events has missed 12.
- Private Brayton out of 45 events has missed 22.
- Private Brown out of 45 events has missed 18.
- Private Decker out of 36 events has missed 14.
- Private Franklin out of 45 events has missed 16.
- Private Fitch out of 45 events has missed 16.
- Private Goldsmith out of 28 events has missed 14.
- Private Herberger out of 45 events has missed 17.
- Private Shattuck out of 45 events has missed 20.
- Private Stella out of 45 events has missed 17.
- Private Vandervolgen out of 45 events has missed 29.
- Private Wands out of 17 events has missed 11.
- Private Wiltsie out of 41 events has missed 23.

CXC. On March 18th, 29th and 31st, Silas Hooghkirk, the janitor of the armory, reported misconduct on the part of members of Company B. (People's Exhibit 55, S. M. 629; People's Exhibit 57, S. M. 633; People's Exhibit 59, S. M. 636.) The reports were forwarded to the commanding officer of the regiment (People's Exhibit 61, S. M. 640) and by him referred to the commanding officer of Company B "for investigation and report" (People's Exhibit 54, S. M. 627). Sergeant Charles E. Smith of Company A, an armory employee, admitted Privates Dulin (S. M. 534), Wallace (534), and Lindquest (1692) to the bathroom. After they had come out and before any one else had entered, the nuisance was discovered. (S. M. 535). Guardineer, another armory employee, saw it. (S. M. 1654). Smith spoke to Wallace about it and Wallace went down and cleaned it up. (S. M. 535-536.)

CXCI. The commanding officer of Company B reported that there was little foundation for the complaints (People's Exhibit 58, S. M.

635), and that, in his opinion, it was the duty of the janitor "to preserve order and decency during the day under all conditions" (S. M. 635).

CXCII. Private Robert E. Dulin (S. M. 1686) re-enlisted July 27, 1907 (S. M. 1769). He had served about three years on a former enlistment and was dishonorably discharged for striking an officer. (S. M. 1686.) He was re-enlisted in the same company. (S. M. 1687.) During the encampment at Crown Point he was charged with attempting to strike an officer. (S. M. 1687), (S. M. 1305.) He also threatened to "get even with Smith" for testifying in regard to the nuisance committed in the bathroom. (S. M. 1663, 1688.)

CXCIII. Lieutenant William F. Wheelock, battalion adjutant, was detailed as president of a delinquency court for the trial of enlisted men of Company B by Special Orders 241, November 16, 1907 (People's Exhibit 152, S. M. 1665), held the first session of the court June 4, 1908, and a session of the court June 21, 1909 (S. M. 1080), at which thirty-three delinquents were disposed of (People's Exhibit 137).

IN RESPECT TO COMPANY D.

CXCIV. The enlisted strength of Company D upon the following dates, as shown by the semi-annual returns, was as follows (S. M. 564, 1831):

March 31, 1905	.....	10th Battalion	.....	55
September 30, 1905	.....	10th Infantry	.....	55
March 31, 1906	.....	"	.....	54
September 30, 1906	.....	"	.....	53
March 31, 1907	.....	"	.....	63
September 30, 1907	.....	"	.....	83
March 31, 1908	.....	"	.....	66
September 30, 1908	.....	"	.....	55
March 31, 1909	.....	"	.....	62

CXCV. The average strength, attendance at drills and percentage of attendance of Company D is as follows:

	Average strength present and absent.	Average present.	Average percentage of attendance.
For the season, 1905-1906...	57	44	78
For the season, 1906-1907...	57	47	81
For the season, 1907-1908...	76	64	85
For the season, 1908-1909...	58	46	80

(Computed from People's Exhibit 154, S. M. 1756-1765.)

CXCVI. The reports of the annual inspection of Company D since the organization of the regiment shows:

April 27, 1906.

Officers present.....	2
Enlisted men present.....	46
Enlisted men absent.....	4

Aggregate.....	52
----------------	----

Present and absent at last inspection 60.
Net loss 8.

Remarks:

"This company possesses elements of strength, the captain actually commands and is capable of producing the best the material can render; he has the confidence and support of his superiors and will doubtless make a company of good report.

"He understands the situation, does not flatter or coax, is positive and direct. The response on the part of the company is encouraging and satisfactory and promises well."

(Signed) WM. H. CHAPIN,
Inspector, National Guard, N. Y.
Inspecting and Mustering Officer."

(People's Exhibit 26, S. M. 570.)

April 25, 1907:

Officers present.....	2
Enlisted men present.....	67
Enlisted men absent.....	5

Aggregate.....	74
----------------	----

Net gain since last inspection 22.

Remarks:

"A very good company, has kept its standing and lived up to its reputation. Officers good. The officers, the captain especially, are full of snap and life. It gained since last muster twenty-two men and has twenty-eight new men in its ranks, more than one-third of its strength. In extended order the squads were well handled by the leaders, nearly all privates."

(Signed) FRED PHISTERER,
Assistant Adjutant-General, National
Guard, Inspector."

(People's Exhibit 30, S. M. 576.)

March 31, 1908:

Officers present.....	2
Enlisted men present.....	66

Aggregate.....	68
----------------	----

None absent.
Net loss since last inspection, 6.

Remarks:

“Officers good. Enlisted men good.
 * * * * *
 Company fully equipped for field service, well instructed in drill,
 a good company, quick and efficient.”
 * * * * *

(Signed) FRED PHISTERER,
*Adjutant-General Division N. G., N. Y.,
 Inspector.”*

(People's Exhibit 71, S. M. 820.)

March 9, 1909:

Officers present	3
Enlisted men present.....	.58

Aggregate	61
None absent.	

Net loss since last inspection, 7.

Remarks:

“General appearance, military bearing, discipline, courtesy and efficiency as shown by inspection, very good. Manual of Inspection Arms, very good.”

(Signed) B. B. McALPIN,
Inspector-General, Division N. G., N. Y.”

(People's Exhibit 75, S. M. 860.)

CXCVII. There are twelve men upon the roll of Company D whose terms of enlistment have expired. (People's Exhibit 149a, S. M. 1514-1515.)

CXCVIII. There are twelve men upon the roll who have performed less than 70 per cent. of the duty prescribed by the law and orders during the last drill season. (People's Exhibit 149a, S. M. 1514-1515.)

- Corporal Van Wie out of 34 events missed 21.
- Musician Carty out of 34 events missed 12.
- Private Moran out of 34 events missed 16.
- Private Devenean out of 34 events missed 11.
- Private Burnett out of 34 events missed 12.
- Private Stoneburner out of 34 events missed 14.
- Private Reader out of 34 events missed 13.
- Private Rourke out of 34 events missed 11.
- Private Warren out of 34 events missed 21.
- Private Fisher out of 34 events missed 29.
- Private Shaw out of 34 events missed 21.
- Private Branack out of 34 events missed 12.

CXCIX. Lieutenant William F. Wheelock, battalion adjutant, was detailed as president of a delinquency court for the trial of enlisted

men of Company D, by Special Orders 245, November 7, 1907. (People's Exhibit 152, S. M. 1666.)

CC. The last session of the delinquency court for the trial of enlisted men of Company D was held December 9, 1908. (S. M. 1098.) Since that date but three delinquency returns have reached the president of the delinquency court (People's Exhibit 134 to 136, inclusive), reporting 37 delinquencies.

CCI. On June 7, 1909, by Special Order 140, Lieutenant Wheelock was relieved from duty as president of the delinquency court for the trial of enlisted men of Company D, and First Lieutenant Gilbert V. Schenck, battalion adjutant, was, by the same order, detailed president of a delinquency court for the trial of enlisted men of Company D. (People's Exhibit 97, S. M. 989.)

CCII. John J. Kearney (S. M. 1630), formerly a private in Company D, appeared before this court and requested to be heard in respect to the circumstances under which he was dishonorably discharged from Company D, and testified to the facts (S. M. 1633-1638). It appeared from his testimony that a hearing had been had on application for his dishonorable discharge (S. M. 1637-1638); that an appeal was thereafter taken and decided adversely (S. M. 1638). And that the matter was subsequently presented in the form of a petition to the commander-in-chief (S. M. 1640), and that final disposition of the matter is pending (S. M. 1641) and is not within the present scope of the matter before this court.

ORGANIZATION AND ADMINISTRATION OF THE BATTALION.

CCIII. Under the order (G. O. 10, A. G. O., s. 1905, People's Exhibit 89, S. M. 957) disbanding and reorganizing certain existing organizations and creating, among others, the 10th Regiment, the composition of the regiment was designated (par. IV) and the headquarters of the regiment established in the State armory at Albany, occupied by the four companies, A, B, C and D, theretofore constituting the 10th Battalion, and those companies were by the same order declared to be separate companies and made a part of the 10th Regiment. Colonel Charles A. Denike was detailed to command the 10th Regiment and designated for appointment as its colonel; Captain Charles E. Davis was designated for appointment as lieutenant-colonel, and Majors Pruyn, McMillan and McNeely were designated for appointment as major, 10th Regiment (par. VIII), and the commanding officer, 3d Brigade, was directed to cause the nominees to be examined without delay (par. IX). (People's Exhibit 89, S. M. 957.)

CCIV. On May 1, 1905, there was issued from the headquarters, 10th Regiment, a General Order (G. O. 2, 10 R. s. 1905, People's Exhibit 86, S. M. 927), constituting and appointing the field officers, 10th Regiment (pursuant to the designations in G. O. 10, A. G. O. s. 1905), and assigning the companies to battalions and, by the same order, establishing battalion headquarters and assigning the majors to the command of their several battalions (par. III) (People's Exhibit 86, S. M. 929).

CCV. Headquarters of the 2d and 3d Battalions, as well as the headquarters, 10th Regiment, were established at the State armory, Albany. (People's Exhibit 86, S. M. 929.)

CCVI. On the 24th day of September, 1906, Major Charles B. Staats was assigned to the command of the 2d Battalion by the following order:

“HEADQUARTERS TENTH REGIMENT INFANTRY, N. G., N. Y.

State Armory, Washington Avenue and Lark Street,
ALBANY, September 24, 1906.

SPECIAL ORDERS,
No. 166.

“Captain Charles B. Staats having been commissioned major, 10th Regiment, and having duly qualified as such (M. C. 59) and reported for duty in accordance with the instructions of the Adjutant-General, is hereby assigned to the command of Companies A, B, C and D (2d Battalion) and will be obeyed and respected accordingly.

By order of Colonel Denike,

FRANK S. HARRIS,
Commissary, Acting Adjutant.

C. O., 2d Batt. 10 R.”

(People's Exhibit 85, S. M. 923-924.)

CCVII. On October 1, 1906, Colonel Denike issued the following order in respect to the inspection of drills and small-arms practice, and prescribing the manner in which the staff and noncommissioned staff should report (People's Exhibit 34, S. M. 585):

“HEADQUARTERS TENTH REGIMENT INFANTRY, N. G., N. Y.

State Armory, Washington Ave. and Lark St.,
ALBANY, October 1, 1906.

GENERAL ORDERS,
No. 4.

(Extract.)

* * * * *

III. Majors commanding battalions must inspect the drills and conditions of their companies once each month, and forward a report of their inspections to regimental headquarters.

IV. Lieutenant-Colonel Davis is appointed inspector of drills and will inspect the companies of the regiment at his discretion, making a report of his inspection to these headquarters.

V. Lieutenant Davis as I. S. A. P. will inspect and exact a full compliance with all the requirements of armory small-arms practice.

* * * * *

IX. Regimental staff and noncommissioned staff officers located at Albany will report on Monday and Thursday night of each week. Those located elsewhere will report by mail in each week and will include in his report the noncommissioned officers of his department. Battalion staff and noncommissioned staff officers will report to their battalion headquarters, and each major will have a regular report forwarded on the same.

* * * * *

By order of Colonel Denike,

FRANK S. HARRIS,
Commissary, Acting Adjutant."

CCVIII. On October 8, 1906, Colonel Denike issued the following order (People's Exhibit 88, S. M. 939):

"HEADQUARTERS TENTH REGIMENT INFANTRY, N. G., N. Y.,
State Armory, Washington Ave. and Lark St.,
ALBANY, October 8, 1906.

SPECIAL ORDERS,
No. 180.

(Extract.)

* * * * *

VI. All official business of the 2d Battalion will be forwarded through the battalion headquarters.

By order of Colonel Denike,

FRANK S. HARRIS,
Commissary, Acting Adjutant."

CCIX. On October 28, 1907, Colonel Denike issued the following order (People's Exhibit 94, S. M. 978):

"HEADQUARTERS, TENTH REGIMENT, INFANTRY, N. G., N. Y.,
State Armory, Washington Avenue and Lark Street,
ALBANY, N. Y., October 28, 1907.

SPECIAL ORDERS,
No. 232.

(Extract.)

* * * * *

V. Officers' schools will be held each Saturday evening at 8:15 o'clock.

* * * * *

By order of Colonel Denike,

ALLAN L. REAGAN,
Adjutant."

CCX. On December 8, 1906, Colonel Denike issued the following order (People's Exhibit 87, S. M. 933):

“HEADQUARTERS, TENTH REGIMENT, INFANTRY, N. G., N. Y.

State Armory, Washington Avenue and Lark Street,

ALBANY, December 8, 1906.

GENERAL ORDERS,
No. 7.

(Extract.)

I. The attention of all concerned is invited to par. V, G. O. 8, Headquarters, National Guard, s. 1900. The inspections therein prescribed will be conducted in accordance with infantry drill regulations, and reports thereon will be made by the field officers as required by paragraphs III and IV of G. O. 4, c. s. from these headquarters.

* * * * *

By order of Colonel Denike,

ALLAN L. REAGAN,

Adjutant.”

CCXI. The orders, establishing battalion headquarters (G. O. 2, 10 R., s. 1905, People's Exhibit 86, S. M. 927); assigning Major Staats to the command of the 2d Battalion (S. O. 166, 10 R., s. 1906, People's Exhibit 85, S. M. 923-924); requiring the majors commanding battalions to inspect the drills and to make report on the condition of their companies once each month, and designating a regimental inspector of drills (G. O. 4, 10 R., s. 1906, People's Exhibit 34, S. M. 585); directing that all official business of the 2d Battalion should be forwarded through the battalion headquarters (S. O. 180, 10 R., s. 1906, People's Exhibit 88, S. M. 939), and prescribing officers' schools to be held each Saturday evening at 8:15 o'clock (S. O. 232, 10 R., s. 1907, People's Exhibit 94, S. M. 978), were in force at the time Colonel Pruyn assumed command of the regiment and have not since been revoked (S. M. 150, 932, 1546).

CCXII. Major Staats did not construe the order assigning him to the command of the battalion as placing him in command of the post. He has never maintained his office as battalion headquarters, and has regarded himself as in command of the battalion only when it has been together for drill or parade. (S. M. 941.)

CCXIII. Major Staats believed that no order had been issued requiring inspection of the companies by himself, or any other person; and that there was no regimental or battalion inspector of drills. (S. M. 206, 238.)

CCXIV. On December 24, 1907, Major Staats suggested to Colonel Denike that it would be well to issue an order making him inspector of drills of the companies, constituting the 2d Battalion, and instructor of their officers' schools. (S. M. 228, 945.) Major Staats believed that the issuance of such an order would more clearly define his duties and responsibilities, and that the officers would be more apt to recognize that he had some authority. (S. M. 228, 947, 948.)

The orders directing the inspection of drills and the conduct of officers' schools were then in force. (S. M. 585, 978.)

CCXV. Major Staats did not inspect the drills and condition of his companies once each month, and forward a report thereof to regimental headquarters. (S. M. 932.)

CCXVI. No inspections of the drills of the companies constituting the 2d battalion, have been made by the regimental inspector of drills, or by the major of the 2d battalion since Colonel Pruyn assumed command of the regiment. (S. M. 932.)

CCXVII. Colonel Pruyn has relied entirely upon information forwarded to him by the majors in respect to the battalions, and has never called for, or required, reports. (S. M. 150.)

CCXVIII. It is Colonel Pruyn's understanding that he has no regimental inspector of drills. (S. M. 150.) In the absence of reports to the contrary, Colonel Pruyn has assumed the condition of the companies to be satisfactory (S. M. 151); and has relied upon the reports of the brigade and division inspectors for information in regard to his own command (S. M. 151).

CCXIX. The order requiring all official business of the 2d battalion to be forwarded through battalion headquarters (S. O. 180, 10 R. s. 1906) is regarded as unmilitary and objectionable by Colonel Pruyn (S. M. 123). Colonel Pruyn did not revoke the order for fear it might be construed as "taking sides" against the major. (S. M. 821). It is regarded as unauthorized by the commanding officers of the companies (S. M. 820), has been a source of friction in the battalion, and is not generally obeyed (S. M. 941).

CCXX. The colonel has never drilled the battalion. (S. M. 124.)

CCXXI. Colonel Pruyn has never made an inspection of the companies except in camp. (S. M. 132.)

CCXXII. Colonel Pruyn has never watched a drill of any of the companies except in camp. (S. M. 145.)

CCXXIII. The commanding officer of the regiment has never conducted any schools of instruction for officers. (S. M. 171.)

CCXXIV. No instructor of the officers' school was designated, and no officer made responsible for its conduct. (S. M. 948.)

CCXXV. Colonel Pruyn has never had any direct communication with any of the officers of the battalion with reference to their duties. (S. M. 145.)

CCXXVI. The only time Colonel Pruyn has been officially at regimental headquarters was at the annual inspection. (S. M. 198.)

CCXXVII. Major Staats does not know who is in charge of the armory at Albany during the absence of the colonel. (S. M. 209.)

CCXXVIII. Colonel Pruyn has quarters in the Yonkers armory (S. M. 201), and regards his adjutant as the responsible head in Albany (S. M. 123).

CCXXIX. Colonel Pruyn visited the armory in Albany only four times during the last drill season. (S. M. 201.)

CCXXX. It is the colonel's usual practice to sign blanks in advance, relying upon the adjutant to fill them out. (S. M. 199.)

FROM THE FACTS ADDUCED, THE COURT IS OF OPINION:

I. That the condition existing in the 2d Battalion, 10th Infantry, is one of disorganization.

II. That this condition is due to divided authority and uncertainty as to responsibility.

III. The orders creating the 10th Regiment (G. O. 10, A. G. O., s. 1905), including in its composition the four companies quartered in the State armory at Albany, in effect, under the military code then in force, placed the armory "under the control and charge of the ranking line officer commanding the organization therein quartered" (M. C. 137); that was the commanding officer, 10th Regiment.

IV. By the same order (G. O. 10, A. G. O., s. 1905) the headquarters of the 10th Regiment were established in the Albany armory, which, in effect, "quartered therein" the commanding officer of the regiment, so that the control of the armory was not changed by the enactment of the Military Law, which places the armory "under the charge and control of the senior line officer quartered therein." (M. L. 186.)

V. The fact that regimental headquarters are established at this post, and that the commanding officer of the regiment resides at a distance and is seldom present at headquarters, leaves officers junior to him in the position of responsibility without adequate authority.

VI. It is impossible, without well-defined limits to the authority of officers, to secure executive control or to enforce discipline.

VII. The commanding officer of the regiment is the post commander and responsible for the discipline and efficiency of his troops composing its garrison. (R. 372.) It was his duty to provide for all contingencies; not to do everything himself, but to order and see it done by others. It was his duty to make his subordinates perform their duties and to direct them in harmony with each other.

VIII. That the commanding officer, 10th Infantry, failed to enforce the orders of division and brigade headquarters in respect to the conduct of schools of instruction for officers and noncommissioned officers and instruction in small-arms practice during the drill season (G. O. 15, N. G. s. 1908, People's Exhibit 80-a; and G. O. 3, 3 B. s. 1908, People's Exhibit 80), and delinquents were not promptly brought before delinquency courts as prescribed by orders, division headquarters (Id., par. XI).

IX. At the time Colonel Pruyn assumed command of the regiment, there were orders in force, issued by his predecessor, providing for the inspection of drills, the rendering of monthly reports, and the conduct of officers' schools. The enforcement of these orders would have kept the commanding officer informed of the instruction and discipline of the organizations of his command and helped to secure and maintain efficiency. These orders were not enforced by Colonel Pruyn, nor was provision otherwise made for the instruction of officers or the inspection and supervision of the drills, so that the system of instruction enjoined by orders and regulations was not observed and the commanding officer was without information in respect to the condition and efficiency of his command.

X. It is the opinion of the court, upon the facts adduced, that Colonel John I. Pruyn is lacking in capacity and general fitness for the

service and incapable of performing the duties of his office as commanding officer, 10th Infantry.

XI. The recommendations for the disbandment of Companies A and C, and the request that, pending action upon the recommendations, the companies be excused from participation in the field service of the regiment, were warranted by the fact that both of these companies were below the minimum strength prescribed by law. Disbandment in such cases is not mandatory, but when an organization is below the required standard in discipline and efficiency, as well as in numerical strength, as was shown to be the condition in Company C; or which, after abundant probation, afforded no basis for reasonable expectation of future improvement, but rather the reverse, as was the case with Company A, its continued existence would be justified only by a radical change of administration and control. There is good material in both of these companies which, under proper discipline, instruction and drill, can be rendered efficient and useful in the service and made a credit to the organization.

The court is therefore of the opinion that it would be consistent with the best interests of the service to give these companies, A and C, under new commanding officers and under conditions of clearly defined and better understood authority and responsibility in the battalion, another opportunity for rehabilitation.

XII. That the proposal made by Captain William B. Coates on the 4th day of March, 1909, at the meeting of the council of administration of Company A, of which he was himself a member, and at which meeting he presided, to apply for the use of the armory for and in the name of the company with the intent and for the purpose of devoting its use to a private enterprise for personal gain, in which he was individually to participate, was unmilitary and un-officer-like conduct, and prejudicial to good order and military discipline. That the council of administration of the company consented to become a party to the proposed deception in consideration of a stipulated interest in the enterprise, or that the application for the use of the armory was eventually made in the name of William B. Coates, individually, does not mitigate the impropriety of the original proposition.

XIII. That the announcement made by Captain Coates to the enlisted men of his company, that when the members of his company should not desire him longer as commanding officer he would resign, was unmilitary and tended to invite insubordination.

XIV. That the failure to maintain his company up to the minimum strength prescribed by law, is presumptive proof of the incapacity of Captain Coates as a company commander.

XV. It is the opinion of the court, upon the facts adduced, that Captain William B. Coates is lacking in capacity and general fitness for the service.

XVI. That the failure of Captain Edward Oliver, the commanding officer of Company C, to maintain his company up to the minimum strength prescribed by law, is presumptive proof of his incapacity as a commanding officer. That his failure to enforce and maintain dis-

cipline in his company while on duty shows him incompetent to exercise command. His direction to alter the entry of the "Surgeon's Remarks" in the sick report book of Company C during the tour of field service at Crown Point was culpably improper and worked injustice to a member of his command. It is our opinion from the facts adduced, that Captain Oliver is lacking in capacity and general fitness for the service.

XVII. It is unwise and injudicious to have the armory open to the public or to the members of the organization at all hours of the day without proper regulations and adequate means of their enforcement. The hours of admission of the public to the armory should be limited and the admission of members, except for duty, should be controlled and subject to proper supervision and responsibility for the maintenance of good order and discipline. The closing of the toilets, while still allowing unrestrained access to the building and company quarters, was a poor remedy for misuse of these facilities and gave rise to greater abuses and misconduct.

XVIII. Musician Everett C. Crear of Company A, having duly sworn that he would truly testify upon an inquiry in which an oath is required by law, willfully and knowingly testified falsely in a material matter before the court and in our opinion is guilty of perjury.

This not being one of the matters referred to the court for its inquiry and recommendation but one occurring incidentally in the proceeding, the court makes no recommendation concerning the matter, but contents itself with a statement of the facts and its opinion in respect thereto.

In the opinion of the court, the following steps should be taken to correct the difficulties that have existed.

First.—That regimental headquarters be established at the place where the commanding officer of the regiment resides.

Second.—That the lieutenant-colonel of the regiment be assigned to quarters at regimental headquarters as so established.

Third.—That so much of G. O. 2, 10 R. s. 1905, as provided for the establishment of headquarters of the 3d Battalion, 10th Regiment, at the State armory, Albany, be revoked.

Fourth.—That by regimental order, the major of the 2d battalion be given authority, as representative of the commanding officer of the regiment, to administer the affairs of the 2d battalion, to enforce discipline and to carry out its military instruction in all details, subject to such general regulations as may be laid down by the commanding officer of the regiment, and to issue and enforce all orders necessary to carry out such general instructions, his orders, so issued, to have the unqualified support of the commanding officer of the regiment.

Fifth.—That Colonel John I. Pruyn be ordered before a board of examination, pursuant to section 83 of the Military Law, for examination into his capacity and general fitness for the service.

Sixth.— That Captain William B. Coates be ordered before a board of examination, pursuant to section 83 of the Military Law, for examination into his capacity and general fitness for the service.

Seventh.— That the resignation of Captain Edward Oliver, bearing date June 10, 1909, which is a part of the record herewith submitted, marked " People's Exhibit 44," be accepted.

All of which, together with a true copy of all testimony and proceedings had before us, is herewith submitted.

Attest:

(Signed) JOHN H. FOOTE,
Colonel, 14th Infantry, President.

(Signed) GEO. J. HAFFA,
*Lieutenant-Colonel, 65th Infantry,
N. G., N. Y.*

(Signed) DAVID WILSON,
*Major, 1st Battalion, F. A.,
N. G., N. Y.*

(Signed) LOUIS W. STOTESBURY,
*Captain, 7th Infantry, Judge-
Advocate and Recorder of the
Court.*

II. The record of the proceedings, findings and recommendations of the court of inquiry in this case, having been submitted to the Governor, the following action was taken:

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, January 20, 1910.

COLONEL JOHN I. PRUYN, *10th Regiment, Infantry, Yonkers, N. Y.:*

SIR.— The Governor having received the " Report of the Board of Inquiry, appointed by S. O. 112, A. G. O., s. 1909, as amended by S. O. 120 and S. O. 124, A. G. O., s. 1909, Albany, N. Y., July 12 to 24, 1909," and having given the matter consideration, has directed me to convey to you the following instructions:

" The conditions revealed as a result of the Court of Inquiry, pursuant to S. O. 112, A. G. O., s. 1909, as amended, with regard to the discipline and efficiency in the regiment under your command, is such that before acting upon the report of the Court of Inquiry, the Governor desires to receive at your early convenience such statement with regard to the matter as you may desire to make."

Respectfully,

(Signed) NELSON H. HENRY,
The Adjutant-General.

In reply to which the following statement was submitted January 31st:

The Adjutant-General, State of New York, Albany:

SIR.—I have the honor to submit the following statements for your consideration, relative to the "Report of the Court of Inquiry appointed by S. O. 112, A. G. O. s. 1909, as amended by S. O. 120 and 124, A. G. O. s. 1909," and in taking subjects for comment will refer to page and paragraph numbers:

Page 92, par. CCXII. Major Staats' testimony that he did not construe the orders placing him in command of the battalion as placing him in command of the post is aside from the point; the post contained, in addition to the 2d battalion, regimental headquarters, with the noncommissioned staff, field music and hospital corps, and there could be no difference of opinion as to whether a junior major was entitled to consider himself in command of the post. That he did consider himself, and was by the regimental commander considered, as in direct control of the 2d battalion and charged with its discipline and efficiency, is a fact believed to have been established by the evidence (see testimony of the regimental adjutant to the effect that his verbal instructions from Colonel Denike, afterward repeated by Colonel Pruyn, were to issue such orders affecting the 2d battalion as might be requested by the major of that battalion) and by the directions, both written and verbal, which Major Staats frequently issued to the officers of the 2d battalion, by the order issued at his request that all official business of the 2d battalion should pass through "battalion headquarters," and by his comments, approving or disapproving such papers. The order above mentioned (with regard to official matters) was desired by Major Staats and Lieutenant-Colonel Davis, as explained to me by Colonel Denike, on the ground that it would emphasize and define the major's control over and authority in the battalion, and the major was always insistent that it be observed. In this connection also see statements contained in par. CCXIII and CCXIV. The intent of the several orders mentioned, and in my belief the effect, was to place directly on the major of the battalion the responsibility for the efficiency and discipline of his battalion, with the authority of the regimental commander back of all proper recommendations which he might make to that end. To the judgment of the regimental commander it must be left, however, to determine whether such recommendations are proper and practicable of execution. The only reports made to me, however, were a written report dated April 19, 1909, to me direct, relative to officers of the 2d battalion delinquent in submitting answers to questions in the correspondence school, on which was issued the following orders:

HEADQUARTERS 10TH REGIMENT INFANTRY, N. G., N. Y.,

State Armory, 195 Washington Ave.,

ALBANY, June 1, 1909.

GENERAL ORDERS

No. 12.

Those officers and noncommissioned officers who have failed to submit answers to the questions propounded under G. O. 4, 3 B., dated December 15, 1908, will do so by June 10th, next.

Failure to do so will be reported as a disobedience of orders.

By order of Colonel Pruyn,

(Signed) ALLAN L. REAGAN,
Adjutant.

And a verbal report on June 1, 1909, to the effect that in his opinion Captain Coates could not place his company in the condition in which it should be. At this time the brigade commander was taking action in the matter and any action on my part could only complicate the situation without improving it.

Page 93, par. CCXIX. I did not revoke the orders relative to the channel through which official business of the 2d battalion should pass, because, while I considered it an improper and unmilitary order, I did not consider that it was working any material injury or injustice to anybody, and that the matter of revoking it might better be delayed until the friction at the time existing in the battalion should be allayed and the proper authority of the major not be reflected on by such action. This I believe was shown in the testimony.

Page 93, par. CCXXIII. It is not shown how regimental schools of instruction in a regiment composed of separate companies should, in the opinion of the court, be conducted.

Page 94, par. CCXXVIII. Refer to regulations 91 and 255 as to the manner in which an adjutant properly represents the commanding officer. "Through the adjutant, the commanding officer communicates with officers and men of his command."

I take exception to use of word "head."

Page 94, par. CCXXX. I take vigorous exception to the so-called statement of fact contained in this paragraph, which is, in its form, seriously misleading. The only papers signed by me in blank were the consolidated reports of attendance at drills, which were so signed to facilitate the forwarding of these reports, a matter on which stress is laid both by brigade and division headquarters, and duplicates of these reports were at once supplied to me. In view of the fact that these reports contained data for information and record only, data which must necessarily be supplied by the adjutant's office, and which enjoined no action on any subordinate or change in any official status, I believed, and am still of the opinion, that my action in that respect was entirely proper. This fact was established before the board, and I am unable to understand why the board should make a statement which does not contain the entire fact.

With regard to the statement contained in par. XVII of the opinion (page 99) I wish to state that it apparently touches on a matter which affects every armory in the State, which is not a subject of general regulations, and which is a matter of opinion of the several officers exercising control. If the matter of having the armory open to the enlisted men during the day is a proper point for criticism of my official conduct, I would respectfully suggest that the same criticism would apply equally to other commanding officers whose actions were not subject to the scrutiny of the court.

The comment and criticism contained in the concluding sentence of this opinion is again misleading, as it fails to state that while the main toilets were closed during the day, when ordinarily the number of enlisted men in the building is very small, and their infrequent use offered opportunities for their misuse, they were opened again at seven o'clock in the evening, the hour at which the men commence to gather in any numbers; and also fails to state that there was open during the day another toilet for the men on the upper floor, not accessible to the public, and with accommodations sufficient for the average number of men present.

With regard to the recommendations of the court, I would respectfully comment as follows, in the order in which they occur:

First.—“That regimental headquarters be established at the place where the commanding officer of the regiment resides.” Inasmuch as this is a subject which does not affect this regiment alone, it would seem to be a matter properly adjusted by regulations; and I would suggest that it might be difficult, in a regiment composed of separate companies, to so arrange that the colonel, the lieutenant-colonel, and the adjutant would always reside at the same place, and that, in case they did not, the administrative difficulties to be met in consequence, and the difficulty in enforcing compliance with such a provision, merit careful attention. I submit that this recommendation is not practicable.

Second.—“That the lieutenant-colonel of the regiment be assigned to quarters at regimental headquarters as so established.” The same comments apply to this recommendation as were made with regard to the first. I would call attention to the fact that the condition recommended now exists in this regiment.

Third.—“That so much of G. O. 2, 10 R. s. 1905, as provided for the establishment of headquarters of the 3d Battalion, 10th Regiment, at the State Armory, Albany, be revoked.”

This recommendation is approved.

Fourth.—“That by regimental order, the major of the 2d battalion be given authority, as representative of the commanding officer of the regiment, to administer the affairs of the 2d battalion, to enforce discipline and to carry out its military instruction in all details, subject to such general regulations as may be laid down by the commanding officer of the regiment, and to issue and enforce all orders necessary to carry out such general instructions, his orders, so issued, to have the unqualified support of the commanding officer of the regiment.” With regard to this recommendation I would recall my com-

ments on par. CCXIX of the statement of facts, where it is shown that this is practically the condition that has prevailed, and the method that has been pursued, *except* that the necessary orders have been issued by the proper authority, *at the request of the major*.

In view of the provisions of Regulations, par. 253, "All the administrative duties in a regiment will be performed by the regimental commander, except when a battalion is on detached service;" Army Regulations, par. 235, "The battalion is a unit for maneuvers and instruction, it is not an administrative unit, it has no headquarters and, when serving in a regiment, no records;" and G. O. 157, War Dept. s. 1909, "The battalion, in a regiment, is not an administrative unit and has no separate records, it is purely a tactical unit conveniently organized for instruction or maneuver, and particularly for combat, either as an integral part of the regiment to which it belongs or separated from it," it is difficult to understand by what process of reasoning the court arrived at the conclusion that the major of a battalion part of a regiment should be authorized to "issue and enforce all orders" deemed by him to be necessary.

I submit that this recommendation is contrary to regulations and opposed to all sound principles of military administration.

Fifth.—"That Colonel John I. Pruyn be ordered before a board of examination, pursuant to section 83 of the Military Law, for examination into his capacity and general fitness for the service."

In connection with this recommendation, I would respectfully call attention to my varied service of more than thirty-five years in the National Guard and in the volunteer service of the United States, a large part of which service has entailed administration and command, my fitness for which has never before been questioned.

I maintain that nothing has been adduced by the court which would properly indicate that such drastic action has been merited, and contend that such action would be uncalled for and unmerited. In support of this contention I have submitted the preceding comments and remarks, and would only state further in that connection my belief that to take such action would be to deprive me, under circumstances which I believe to be contrary to the spirit at least of the Constitution, of a commission which I have earned by honorable service, by means of a tribunal which is, by the nature of the recommendations, intended to have prejudged my case and to have arrived at a conclusion before I shall have been summoned before it. I claim that unless it can be shown that there is a proper foundation for charges on which I might be tried by a general court-martial, to carry out the recommendation of the court would be to commit a grave injustice.

Since I have been in command of this regiment, all its affairs have received my prompt and careful attention, and I do not believe that just criticism can be made, and in fact I do not think it has been made, of the administration of the command or with the manner in which all official business has been expedited, or with the condition of the regiment as a whole. I invite attention to the report of the army officers detailed with the command on its last tour of field service and to the condition of the 1st and 3d battalions.

Sixth.—“That Captain William B. Coates be ordered before a board of examination, pursuant to section 83 of the Military Law, for examination into his capacity and general fitness for the service.” While I am of the opinion that the usefulness of Captain Coates as the commanding officer of Company A has, from a variety of causes, ceased, the objections raised in my comments on the fifth recommendation, so far as relates to a board under section 83 of the Military Law, apply also, in my judgment, to his case. I believe that his past record in the military service of the State and of the United States entitles him to an opportunity to leave that service by resigning his commission and receiving the full and honorable discharge which he has earned.

Seventh.—“That the resignation of Captain Edward Oliver, bearing date June 10, 1909, which is a part of the record herewith submitted, marked ‘People’s Exhibit 44,’ be accepted.”

I have already approved the resignation of Captain Oliver and concur in the recommendation of the court.

Respectfully,

(Signed) JOHN I. PRUYN,
Colonel, Tenth Infantry.

III. The Governor has made the following orders:

EXECUTIVE CHAMBER, ALBANY, *February 7, 1910.*

The testimony discloses conditions in the 2d battalion, 10th Infantry, indicating a laxity of discipline and an impairment of efficiency which require immediate correction. So far as these conditions may be due to unsatisfactory regimental or battalion methods, or to divided responsibility, it has been sought by the court of inquiry to make remedial provision by the following recommendations:

“First.—That regimental headquarters be established at the place where the commanding officer of the regiment resides.

“Second.—That the lieutenant-colonel of the regiment be assigned to quarters at regimental headquarters as so established.

“Third.—That so much of G. O. 2, 10 R., s. 1905, as provided for the establishment of headquarters of the 3d battalion, 10th Regiment, at the State armory, Albany, be revoked.

“Fourth.—That by regimental order, the major of the 2d battalion be given authority, as representative of the commanding officer of the regiment, to administer the affairs of the 2d battalion, to enforce discipline, and to carry out its military instruction in all details, subject to such general regulations as may be laid down by the commanding officer of the regiment, and to issue and enforce all orders necessary to carry out such general instructions, his orders, so issued, to have the unqualified support of the commanding officer of the regiment.”

In view of the importance of the matter, it is deemed best that these questions should have further consideration, and for this purpose the report of the court of inquiry and said recommendations, together with the comments thereon of the commanding officer of the 10th Regiment, are referred to the militia council.

The court of inquiry further recommends as follows:

Recommendation "Fifth.—That Colonel John I. Pruyn be ordered before a board of examination, pursuant to section 83 of the Military Law, for examination into his capacity and general fitness for the service."

This recommendation is disapproved.

The case is not one which should be dealt with under section 83 of the Military Law, relating to examining boards. If there were grounds for charges of such neglect of duty or dereliction as would justify dismissal from the service, the appropriate course would be to provide for a trial by court-martial. But despite the criticisms which may justly be passed upon conditions in the regiment, it still remains true that a fair consideration of all the circumstances does not permit the conclusion that such grave charges could justly be sustained.

Recommendation "Sixth.—That Captain William B. Coates be ordered before a board of examination pursuant to section 83 of the Military Law, for examination into his capacity and general fitness for the service."

Recommendation "Seventh.—That the resignation of Captain Edward Oliver, bearing date June 10, 1909, which is a part of the record herewith submitted, marked 'People's Exhibit 44,' be accepted."

These recommendations (sixth and seventh) are disapproved.

The facts presented with regard to the commanding officer, Company A, and the commanding officer, Company C, are of such a character that they should receive consideration by court-martial. Charges and specifications will be preferred by the commanding officer of the 3d Brigade.

The court of inquiry also report in their statement of opinions as follows:

"Eighteenth.—Musician Everett C. Crear of Company A having duly sworn that he would truly testify upon an inquiry in which an oath is required by law, willfully and knowingly testified falsely in a material matter before the court and in our opinion is guilty of perjury."

This matter should receive consideration by court-martial. Charges and specifications will be preferred by the commanding officer, 3d Brigade.

CHARLES E. HUGHES.

IV. The court of inquiry held under special orders No. 112, as amended by special orders No. 120 and special orders No. 124, series 1909, The Adjutant-General's office, is hereby dissolved.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
 THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, *February 7, 1910.*

GENERAL ORDERS, }
 No. 6. }

On the recommendation of the Major-General Commanding Division, National Guard, the annual allowances of ammunition for the light batteries, field artillery, will, until further orders, be fixed as herein prescribed.

The commanding officers, light batteries, field artillery will annually on or before the first of March, transmit through the channel to the Adjutant-General's Office, requisition for such ammunition, setting forth amount of ammunition on hand.

Tables of annual allowance of ammunition for light batteries, field artillery:

For each Battery Field Artillery:

Annual Allowance:—

Shell	10
Shrapnel	130
Sub-calibre ammunition	2,000
Primers	150
Wads, felt	150
Saluting powder, pounds	250

Reserve Allowance:—

Shell	20
Shrapnel	50

By Command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *March 4, 1910.*GENERAL ORDERS, }
No. 7. }

The following changes have occurred since December 31, 1909, in the National Guard and Naval Militia of this State:

NATIONAL GUARD.

APPOINTMENTS.

Inspector-General's Department.

Arthur West Little, major, with rank from Jan. 15, 1910.

Ordnance Department.

John Hammond Barker, captain, with rank from Dec. 30, 1909.

Philip Gossler Roosa, captain, with rank from Feb. 12, 1910.

Medical Corps.

John Richard Kevin, major, with rank from Dec. 30, 1909.

Horace Madison Hicks, major, with rank from Feb. 17, 1910.

Harry Lovejoy Loop, first lieutenant, with rank from Jan. 8, 1910.

Walter Thomas Diver, first lieutenant, with rank from Feb. 17, 1910.

Corps of Engineers.

Patrick Joseph Walsh, captain, with rank from Jan. 17, 1910.

Richard Anderson Deeves, first lieutenant, with rank from Feb. 14, 1910.

CAVALRY.

Squadron C.

George Maclean Beers, first lieutenant, with rank from Jan. 6, 1910.

INFANTRY.

First Regiment.

Julian Roy Wilbur, first lieutenant, with rank from Feb. 15, 1910.

Second Regiment.

William Francis Town, captain, with rank from Feb. 17, 1910.

Seventh Regiment.

James Rutherford Stewart, captain, with rank from Jan. 15, 1910.

William Moore Halsted, first lieutenant, with rank from Feb. 19, 1910.

Frederick Gerst, second lieutenant, with rank from Jan. 21, 1910.

Tenth Regiment.

Robert Elias Carpenter, second lieutenant, with rank from Dec. 29, 1909.

Edward James Clark, second lieutenant, with rank from Feb. 4, 1910.

Twelfth Regiment.

Rochester Hart Rogers, first lieutenant, with rank from Jan. 11, 1910.

Elisha Harris Janes, second lieutenant, with rank from Dec. 30, 1909.

Horace Griswold Ely, second lieutenant, with rank from Jan. 11, 1910.

Maxime John Parenteau, second lieutenant, with rank from Jan. 11, 1910.

Fred Andrew Wagner, second lieutenant, with rank from Feb. 19, 1910.

Fourteenth Regiment.

Gabriel George Hollander, captain, with rank from Feb. 16, 1910.

Twenty-third Regiment.

Carl Gerhard Rasmus, lieutenant-colonel, with rank from Dec. 30, 1909.

William Thomas Mynotte, major, with rank from Jan. 5, 1910.

David Burton Blanton, major, with rank from Feb. 16, 1910.

James Robb, captain, with rank from Jan. 28, 1910.

George Matthew Stoll, first lieutenant, with rank from Jan. 28, 1910.

Charles Reuben Coffin, first lieutenant, with rank from Feb. 16, 1910.

Samuel Parks Cadman, chaplain, with rank from Jan. 14, 1910.

Forty-seventh Regiment.

George Dusenbury, captain, with rank from Jan. 14, 1910.

Livingston Swentzel, captain, with rank from Jan. 14, 1910.

Arthur Henry Snowball, first lieutenant, with rank from Jan. 5, 1910.

Sixty-ninth Regiment.

Denis Hogan, first lieutenant, with rank from Feb. 5, 1910.

Roger Alexander Nolan, first lieutenant, with rank from Feb. 5, 1910.

Francis Xavier Hennessy, second lieutenant, with rank from Feb. 5, 1910.

Seventy-first Regiment.

Frank Rawson Potter, second lieutenant, with rank from Jan. 21, 1910.

Seventy-fourth Regiment.

Albert LaRue Irving, second lieutenant, with rank from Dec. 20, 1909.

COAST ARTILLERY CORPS.

Eighth Artillery District.

William Gray, captain, with rank from Jan. 14, 1910.

John Comstock Hegeman, second lieutenant, with rank from Jan. 21, 1910.

Douglass Barnes, second lieutenant, with rank from Jan. 21, 1910.

Ferdinand Conrad Schussler, second lieutenant, with rank from Feb. 18, 1910.

Ninth Artillery District.

- John Leonard Plock, captain, with rank from Dec. 29, 1909.
 George Archibald Thompson, captain, with rank from Jan. 14, 1910.
 James Joseph Walsh, captain, with rank from Jan. 21, 1910.
 Thomas Seymour, first lieutenant, with rank from Feb. 4, 1910.
 Frederic Granville Munson, first lieutenant, with rank from Feb. 18, 1910.
 Edward George Murray, second lieutenant, with rank from Jan. 14, 1910.

Thirteenth Artillery District.

- Eugene Vincent Downey, first lieutenant, with rank from Dec. 29, 1909.
 Edward Tisdale Harris, first lieutenant, with rank from Feb. 4, 1910.

BREVETS.

Brigadier-General Nelson Herrick Henry, The Adjutant-General, major-general by brevet in the National Guard for meritorious service of twenty-five years, with rank from Feb. 19, 1910.

Colonel John Henry Foote, 14th infantry, brigadier-general by brevet in the National Guard, for meritorious service of twenty-five years, with rank from Feb. 11, 1910.

Lieutenant-colonel Frank Olen Sauvan, coast artillery corps, colonel by brevet in the National Guard, for meritorious service of more than twenty-five years, with rank from Jan. 28, 1910.

Major George Jacob Metzger, corps of engineers, lieutenant-colonel by brevet in the National Guard, for meritorious service of more than twenty-five years, with rank from Feb. 3, 1910.

Major John Frederick Klein, 10th infantry, lieutenant-colonel by brevet in the National Guard, for meritorious service of more than twenty-five years, with rank from Feb. 17, 1910.

Captain Lansford Franklin Sherry, 1st battalion, field artillery, major by brevet in the National Guard, for meritorious service of more than twenty-five years, with rank from Jan. 13, 1910.

Captain William Averell Kenny, corps of engineers, major by brevet in the National Guard, for meritorious service of more than twenty-five years, with rank from Feb. 3, 1910.

First Lieutenant George Edgar Laing, 1st battalion, field artillery, captain by brevet in the National Guard, for meritorious service of more than twenty-five years, with rank from Jan. 13, 1910.

Private DeWitt P. Dutcher, company G, 23rd infantry, second lieutenant by brevet in the National Guard, for faithful service of more than twenty-five years, with rank from Feb. 10, 1910.

Private Joseph Edwards, company L, 3rd infantry, second lieutenant by brevet in the National Guard, for faithful service of more than twenty-five years, with rank from Feb. 26, 1910.

RETIRED.

- Major David Walker Houston, medical corps, Jan. 24, 1910.
 Major Eugene Alfred Smith, medical corps, Jan. 28, 1910.
 Major Harrie Eugene Smith, medical corps, Feb. 10, 1910.

First Lieutenant Edward Herman Barnum, ordnance department, Jan. 12, 1910.

Brevet Second Lieutenant DeWitt P. Dutcher, late private, company G, 23rd infantry, Feb. 10, 1910.

Brevet Second Lieutenant Joseph Edwards, late private, company L, 3rd infantry, Feb. 26, 1910.

CHANGE IN ASSIGNMENT.

Major Albert Henry Briggs, medical corps, relieved from duty with the 6th infantry, and attached to headquarters 4th brigade, Feb. 24, 1910.

CASUALTIES.

FULL AND HONORABLE DISCHARGE.

Major John Nelson Carlisle, 1st infantry, Feb. 3, 1910.

Captain Frank Orrin Rollins, 1st infantry, Jan. 13, 1910.

Captain Franklin Truman Davies, ordnance department, Jan. 24, 1910.

Captain Pierce James O'Brien, medical corps, Jan. 24, 1910.

Captain Frederick Theodore van Beuren, Jr., medical corps, Feb. 26, 1910.

First Lieutenant George Marsh Grove, 14th infantry, Jan. 13, 1910.

First Lieutenant George H. N. Hornby, 1st battalion, field artillery, Jan. 24, 1910.

First Lieutenant Edwin Walton Hiscox, 1st battalion, field artillery, Jan. 24, 1910.

First Lieutenant Walter J. C. Smith, 3rd infantry, Jan. 24, 1910.

First Lieutenant Oswald Werner Uhl, 7th infantry, Jan. 28, 1910.

First Lieutenant Clarence Albert Holmes, Medical corps, Feb. 5, 1910.

First Lieutenant George Ernest Fahys, squadron A, Feb. 17, 1910.

First Lieutenant Graham Smith, 12th infantry, Feb. 26, 1910.

First Lieutenant Rufus George Shirley, coast artillery corps, Feb. 26, 1910.*

Second Lieutenant Thomas Lennon Reynolds, 69th infantry, Jan. 13, 1910.

Second Lieutenant James Lambert Doyle, 69th infantry, Jan. 28, 1910.

Second Lieutenant Jacob Saunders Kingsbury, 10th infantry, Jan. 28, 1910.

Second Lieutenant William Russell Robinson, coast artillery corps, Jan. 28, 1910.

Second Lieutenant William Bernard Bryant, squadron C, Feb. 10, 1910.

Second Lieutenant Harry Livingston Hillman, coast artillery corps, Feb. 17, 1910.

Second Lieutenant Clarence Thomas Wright, 1st infantry, Feb. 17, 1910.

Second Lieutenant William Buchheim, 10th infantry, Feb. 17, 1910.

Brevet Second Lieutenant Edward McIntyre, retired, Feb. 21, 1910.

HONORABLE DISCHARGE.

First Lieutenant Stuart Mortimer Conant, 74th infantry, Jan. 13, 1910.

Second Lieutenant Roland von Waldberg, coast artillery corps, Jan. 24, 1910.

Second Lieutenant Rhinelander Waldo, 69th infantry, Jan. 24, 1910.

Second Lieutenant Harry Beam Baldwin, Jr., 47th infantry, Feb. 10, 1910.

Second Lieutenant Roscoe Conkling Lawrence, coast artillery corps, Feb. 17, 1910.

Second Lieutenant William Andrew Hayes, coast artillery corps, Feb. 17, 1910.

DIED.

Captain Winfield Scott Newman, supernumerary, Jan. 7, 1910.

Captain Follen Cabot, medical corps, Feb. 13, 1910.

Brevet Second Lieutenant Albert Wilkinson, retired, Jan. 11, 1910.

NAVAL MILITIA.

APPOINTMENTS.

Headquarters.

Jacob William Miller, commodore, with rank from Feb. 14, 1910.

Robert James Beach, lieutenant commander, as engineer officer, with rank from March 21, 1900.

John Girard Agar, paymaster, of the grade of lieutenant commander, with rank from April 19, 1898.

John Cowell MacEvitt, surgeon, of the grade of lieutenant commander, with rank from Sept. 14, 1908.

First Battalion.

Louis Maurice Josephthal, paymaster, of the grade of lieutenant, with rank from Jan. 6, 1910.

Walter Benschel, assistant surgeon, of the grade of lieutenant, junior grade, with rank from Nov. 15, 1909.

Eckford Craven de Kay, lieutenant, with rank from Jan. 6, 1910.

Earle Farwell, ensign, with rank from Jan. 6, 1910.

Retired.

Lieutenant Henry Noble Fletcher, engineer officer, 1st battalion, Jan. 28, 1910.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, March 4, 1910.

GENERAL ORDERS, }
No. 8. }

I. Upon the recommendation of the Major-General commanding the Division, and in accordance with the authority vested in the Governor by section 32 of the Military Law, the number of second lieutenants in the coast artillery corps is hereby increased to forty-five, and the authorized number of post quartermaster sergeants, quartermaster's department, is hereby increased to fifty-nine.

II. So much of par. IV of General Orders No. 70, from this office, December 24, 1909, as relates to the assignment of second lieutenants, unassigned list, coast artillery corps, to the 8th artillery district, is hereby amended to read as follows:

Three second lieutenants, unassigned, to staff duty, 8th artillery district.

III. Par. V of General Orders No. 70, from this office, December 24, 1909, is hereby amended to provide for four post quartermaster sergeants to be attached to the 8th artillery district instead of three.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

OFFICIAL:

.....,
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, March 10, 1910.

GENERAL ORDERS, }
No. 9. }

The following enactment of the Legislature of the State of New York, 1910, amending the "Military Law of the State of New York, enacted March 2, 1910," is published for the information and guidance of all concerned.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

OFFICIAL:

.....,
Assistant Adjutant-General.

CHAP. 19.

AN ACT to amend the military law, in relation to armories.

Became a law March 2, 1910, with the approval of the Governor.

Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one hundred and eighty-eight of chapter forty-one of the laws of nineteen hundred and nine, entitled "An act in relation to the militia, constituting chapter thirty-six of the consolidated laws," is hereby amended to read as follows:

§ 188. **Laborers.**—To provide for the proper care and cleanliness of armories and arsenals and of the property therein deposited, the officer having control and charge of an armory or arsenal, may appoint laborers as follows: For armories or arsenals having ten thousand square feet or less of floor surface, one laborer; when the floor surface exceeds twenty thousand square feet, two laborers; and for each twenty thousand in excess of twenty thousand, an additional laborer; boiler and engine rooms, unused cellar rooms and rooms used for employees' quarters shall not be included in computing such floor surface. In an armory occupied by coast artillery, and to each armory occupied by a battery, in addition to the above, one expert laborer, competent to care for artillery implements, guns and instruments. For armories of squadrons, troops, batteries, field hospitals, and companies of signal corps, in addition to the above, one laborer to each ten horses therein stabled and used for military purposes by such squadron, troop, battery, field hospitals, and company of signal corps, and in armories where more than thirty horses are so stabled and used there shall be allowed two additional laborers. In armories of the field artillery in addition to the foregoing, there shall be allowed one laborer for each battery of field artillery, for the care of field artillery harness and equipment. Before any such appointment is made, the necessity for the employment of such laborer or laborers shall be certified by the commanding officer of the division or the brigade, as the case may be and such certificate shall be filed in the office of the disbursing officer of the county in which the armory or arsenal is situated. A certificate of the number of feet of floor surface of each armory or arsenal in which laborers are appointed shall be made by the engineer of the division or the brigade and approved by the commanding officer of the division or brigade within whose command such armory or arsenal is located, and filed in the office of the disbursing officer of the county in which the armory or arsenal is located, except as to counties wholly or partly within the city of New York, when it shall be filed with the comptroller of said city.

§ 2. This act shall take effect immediately.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, *March 14, 1910.*

GENERAL ORDERS, }
No. 10.

In accordance with a decision of the War Department, communicated by the Chief of the Division of Militia Affairs under date of March 11, 1910, and pursuant to the authority vested in the Governor by Section 30 of the military law, the enlisted strength of a battalion of field artillery is hereby increased by

- 1 musician, for the battalion commander;
- 2 privates, for the battalion commander's reel and instruments; and
- 2 mounted orderlies,

all of whom shall be carried on the rolls of the battalion headquarters.

The minimum enlisted strength of a battalion of field artillery shall be four hundred and six.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *March 16, 1910.*

GENERAL ORDERS, }
No. 11.

Before a general court-martial which convened at the armory of the 1st Battery, 1st Battalion, F. A., pursuant to Special Orders No. 33, January 22, 1910, Headquarters Division, and Special Orders No. 46, January 31, 1910, Headquarters Division, and of which Major Franklin W. Ward, Coast Artillery Corps, was president, and Major Almet R. Latson, Judge Advocate General's Department, judge advocate of the court, was arraigned and tried

Private *William H. Roach, Jr.*, 1st Battery, 1st Battalion, F. A.

CHARGE I: "Disrespect to superior."

Specification 1. "In this that Private *William H. Roach, Jr.*, 1st Battery, 1st Battalion, Field Artillery, N. G., N. Y., being on duty as an enlisted man in the armory of said Battery at No. 56 West 66th street, in the Borough of Manhattan in the city of New York, and

being asked by 1st Lieutenant Frank B. Barrett of said Battery why he was laughing when in ranks, did make answer in a disrespectful and frivolous manner and without saluting, 'Oh, I don't know, I couldn't help it.'

"This at the armory of said 1st Battery, No. 56 West 66th street, Borough of Manhattan in the city of New York, on the 19th day of October, 1909, at about the hour of 8:45 p. m."

Specification 2. "In this that Private *William H. Roach, Jr.*, 1st Battery, 1st Battalion, Field Artillery, N. G., N. Y., being on duty as aforesaid, and being directed and ordered by said 1st Lieutenant Frank B. Barrett of said Battery to 'fall out' from the ranks of the platoon in which he was drilling, and perform setting up exercises for fifteen minutes under charge of a non-commissioned officer of said battery, did answer said superior officer, 1st Lieutenant Frank B. Barrett, aforesaid, in a disrespectful manner, saying, 'No, I can't exercise fifteen minutes,' whereupon said 1st Lieutenant Frank B. Barrett did say to said Private *William H. Roach, Jr.*, aforesaid, 'Do you say you won't or you can't?' whereupon said Private *William H. Roach, Jr.*, aforesaid did answer in a disrespectful manner, 'Yes, I can't.'

"This in the armory of said 1st Battery, No. 56 West 66th street, Borough of Manhattan in the city of New York, in the State of New York, on the said 19th day of October, 1909, at about the hour of 8:45 p. m."

CHARGE II. "Conduct prejudicial to good order and military discipline."

Specification 1. "In this that Private *William H. Roach, Jr.*, 1st Battery, 1st Battalion Field Artillery, N. G., N. Y., being on duty and at drill in the armory of said Battery, and being ordered by 1st Lieutenant Frank B. Barrett of said Battery to perform setting up exercises for fifteen minutes under a non-commissioned officer of said Battery, did answer said 1st Lieutenant Frank B. Barrett, aforesaid, in a disrespectful manner, 'I can't exercise fifteen minutes,' and did make no attempt to carry out said order, whereupon said 1st Lieutenant Frank B. Barrett, aforesaid, having ordered said Private *William H. Roach, Jr.*, aforesaid, to report himself at once to the Battery Commander, Captain John F. O'Ryan, in his office, and said Private *William H. Roach, Jr.*, having so reported, and being ordered by his Battery Commander, John F. O'Ryan, aforesaid, to perform physical exercises under the supervision of a non-commissioned officer of said Battery, to wit: Corporal John L. Wendel, did perform some physical exercises, but wilfully, in a perfunctory and unsoldierly manner, and did neglect and refuse to perform others as directed by the said Corporal John L. Wendel. This at the armory of said 1st Battery, No. 56 West 66th street, in the Borough of Manhattan in the city of New York, in the State of New York, on the 19th day of October, 1909."

To all of which charges and specifications the accused pleaded "Guilty."

FINDINGS.

- Of the 1st Specification, 1st Charge, "Guilty."
- Of the 2nd Specification, 1st Charge, "Guilty."
- Of the 1st Charge, "Guilty."
- Of the 1st Specification, 2nd Charge, "Guilty."
- Of the 2nd Charge, "Guilty."

SENTENCE.

"To be reprimanded and to be fined in the sum of fifty dollars (\$50.00)."

The sentence having been approved by the convening authority and the record of trial forwarded for the action of the Governor, the following are his orders thereon:

Executive Chamber, March 16, 1910.

In the foregoing case of Private William H. Roach, Jr., 1st Battery, 1st Battalion, F. A., the sentence is confirmed, but in view of the testimony of the Commanding Officer, 1st Battery, 1st Battalion, F. A., that Private Roach has changed his attitude and taken greater interest and given a much better performance of duty as compared with his previous conduct is commuted to be reprimanded and to be fined the sum of twenty-five dollars (\$25.00).

CHARLES F. HUGHES.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *March 17, 1910.*

GENERAL ORDERS, }
No. 12.

I. Upon the recommendation of the Board for the Revision of Small Arms Firing Regulations, approved by the Commanding Officer, Division National Guard, the reloading by organization, of cartridges caliber .30, model 1906, for the magazine rifle model of 1903, with service charges, is strictly prohibited.

II. Organizations, on the completion of small arms practice each year, will turn in to the State Arsenal all empty cartridge cases, zinc lined packing boxes, bandoleers and clips. This property will be in-

voiced and shipped to The Adjutant-General, who will issue the proper receipts therefor, as authority for dropping the same from their property returns. Empty cartridge cases and clips should be invoiced in all cases by weight instead of number. Organizations will save the zinc lined wooden packing boxes in which the ammunition is received and will pack the empty cartridge cases, bandoleers and clips in those boxes before turning them in. Care should be taken that the zinc lining of the boxes is not injured. The lining and zinc cover should be retained in the boxes when the empty cartridge cases, bandoleers or clips are packed therein. Bandoleers and clips which are to be turned in will not be packed in boxes containing empty cartridge cases. Where bandoleers and clips are packed in the same box, the clips should be wrapped separately in paper.

III. Organizations will have placed to their credit the money value of the property turned in referred to in paragraph II of this order and are authorized to make requisition for small arms ammunition against such credit in addition to the allowance of small arms ammunition allowed in small arms practice regulations.

IV. The value of each zinc lined packing box for ball cartridges, caliber .30, model of 1906, *in good condition*, is 25 cents; no allowance to be made for boxes not in good condition. The value of the empty cartridge cases is fixed at 12.7 cents a pound, which figure represents their average value as calculated for a period of ten years. The value of bandoleers is 3 cents each and the value of brass clips is 8 cents a pound.

Weights of fired and decapped cartridge cases.

Rifle:	Pounds a thousand.
Service, caliber .30, model of 1906.....	27.0
Service, caliber .30, model of 1898.....	25.0
Clips	19.0
Revolver:	
Caliber .38	9.0
Caliber .45	15.0

The empty cartridge cases, zinc lined packing boxes, bandoleers, and clips which may be turned in are limited to those pertaining to the ammunition that has been furnished by The Adjutant-General's Office for the magazine rifles and carbines, and for the revolvers, calibers .38 and .45, in the hands of the organized militia.

V. In submitting requisition for ordnance stores for small-arms target practice, and in expending the stores, commanding officers of organizations will be guided by the following prices:

Cartridges, carbine:	A thousand.
Ball, caliber .45.....	\$22.75
Cartridges, rifle:	
Ball, caliber .30, model of 1906.....	29.10
Ball, caliber .30, model of 1898.....	29.75
Blank, caliber .30, model of 1909.....	17.00
Blank, caliber .30, model of 1906.....	20.25

Cartridges, rifle — <i>Continued</i> :	A thousand.
Blank, caliber .30, model of 1898.....	\$18.00
Blank, caliber .45.....	19.00
Dummy, caliber .30, model of 1906.....	19.40
Dummy, caliber .30, model of 1898.....	22.00
Gallery practice, caliber .22.....	2.05
Guard, caliber .30, model of 1906.....	21.55
Guard, caliber .30, model of 1898.....	19.00
 Cartridges, revolver:	
Ball, caliber .38.....	9.70
Ball, caliber .45, model of 1909.....	12.95
Blank, caliber .38.....	8.65
Blank, caliber .45, model of 1909.....	11.10
 Cartridge cases, rifle:	
Service, caliber .30, model of 1906.....	11.65
Service, caliber .30, model of 1898.....	13.00
 Cartridge cases, revolver:	
Caliber .38	5.90
Caliber .45, model of 1909.....	7.30

VI. The requisition for small arms ammunition, by virtue of receipts furnished for fired cartridge cases, empty packing boxes, bandoleers, and clips, will ordinarily be made in the calendar year in which the fired cartridge cases, empty packing boxes, bandoleers, and clips, were received for. If it is impracticable to make such requisition within the year, these receipts may be utilized in the next calendar year *only* as a basis for the expenditure of the additional small-arms ammunition in accordance with the allowances for the latter year.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, March 22, 1910.

GENERAL ORDERS, }
No. 13. }

I. Commanding Officers of regiments to whom intrenching tools have been issued under the provisions of G. O. No. 66, s. 1908, from this office, will direct their quartermasters to transfer such property

to the ordnance officer of the command on proper invoices and receipts. Commanding Officers of separate companies to whom the above-mentioned property has been issued will carry the same as ordnance property on all records, reports and returns.

II. Paragraph I, of G. O. No. 66, s. 1908, from this office, is hereby amended to read, " will be issued by the Ordnance Department, U. S. A.," instead of " Quartermaster's Department, U. S. A."

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *March 29, 1910.*

GENERAL ORDERS, }
No. 14. }

I. Upon the recommendation of the Major-General, Commanding the Division, National Guard, an annual allowance of horseshoes and horseshoe nails is fixed for the mounted organizations of this State. Requisitions will be forwarded annually on or before the 31st of March, based upon the following data:

(a) That requisitions for horseshoes and horseshoe nails be made on March 31st of each year, to enable the issues to be made before the commencement of the drill season.

(b) That such requisitions should state the number of horses stabled by the organization used for military purposes.

(c) That the allowance of horseshoes per month be four shoes per horse.

(d) That the kind and character of horseshoes to be issued be "Juniata" fore and hind, numbers 2, 3 and 4; shoes to be requisitioned for and issued by number and size and not by weight.

(e) That horseshoe nails issued be 10 per cent. of the weight of horseshoes requisitioned for.

II. Commanding officers of mounted organizations will transmit through the channel requisition in accordance with paragraph one.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 1, 1910.

GENERAL ORDERS, }
No. 15.

The following General Order from the War Department, dated February 28, 1910, relating to the First Field Army District of the Regular Army and Organized Militia, is published for the information and guidance of all concerned:

WAR DEPARTMENT,
WASHINGTON, February 28, 1910.

GENERAL ORDERS, }
No. 35.

1. The States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York are designated as the First Field Army District.

2. On and after May 1, 1910, the mobile forces of the Regular Army stationed therein and, by permission and with approval of the governors of the respective States, the mobile forces of the organized militia of those States will be organized for instruction and mobilization as follows, and designated the

FIRST FIELD ARMY.

Commander — The commanding general, Department of the East.

a. First Division.

Commander — To be detailed from the United States Army.

First Brigade: Commander — To be detailed from the United States Army.

1 regiment United States Infantry (stationed at Forts Niagara, Porter, and Jay).

2d Infantry, National Guard of the State of Maine.

69th Infantry, National Guard of New York.

Second Brigade: Commander — To be detailed from the United States Army.

1 regiment United States Infantry (stationed at Plattsburg Barracks).

1st Infantry, New Hampshire National Guard.

1st Infantry, Vermont National Guard.

Third Brigade: Commander — Commander, 4th Brigade, National Guard of New York.

3d Infantry, National Guard of New York.

65th Infantry, National Guard of New York.

74th Infantry, National Guard of New York.

Cavalry:

First Regiment, National Cavalry: Commander—To be detailed from the United States Army.

1st Squadron: 1 squadron, United States Cavalry (stationed at Fort Ethan Allen).

2d Squadron: Troops B and D, National Guard of New York, and Troop A, New Hampshire National Guard (1 troop lacking).

3d Squadron (lacking—organized militia).

Field Artillery:

First Regiment, National Field Artillery: Commander—To be detailed from the United States Army.

1st Battalion: (1 United States battery lacking); Battery A, New Hampshire National Guard, and Battery A, Rhode Island National Guard.

2d Battalion (1 United States Battery lacking; 2 militia batteries lacking).

Engineers:

First Battalion, Corps of Engineers, National Guard of New York.

Signal Corps:

(1 company United States Signal Corps lacking); Signal Corps, New Hampshire National Guard.

Ambulance companies:

(United States Army, lacking.)

Field hospitals:

(United States Army, lacking.)

b. Second Division.

Commander—To be detailed from the United States Army.

First Brigade: Commander—To be detailed from the United States Army.

1 regiment, United States Infantry (stationed at Fort Ontario and Madison Barracks).

1st Infantry, Connecticut National Guard.

2d Infantry, Connecticut National Guard.

Second Brigade: Commander—Commander, 1st Brigade, Massachusetts Volunteer Militia.

2d Infantry, Massachusetts Volunteer Militia.

6th Infantry, Massachusetts Volunteer Militia.

1st and 2d Corps of Cadets, Massachusetts Volunteer Militia.

Third Brigade: Commander—Commander, 2d Brigade, Massachusetts Volunteer Militia.

5th Infantry, Massachusetts Volunteer Militia.

8th Infantry, Massachusetts Volunteer Militia.

9th Infantry, Massachusetts Volunteer Militia.

Cavalry:

Second Regiment, National Cavalry: Commander — To be detailed from the United States Army.

1st Squadron: 1 squadron United States Cavalry (stationed at Fort Ethan Allen).

2d Squadron: Troops A, B, and D, Massachusetts Volunteer Militia; Troop A, Connecticut National Guard.

3d Squadron: Troops A, B, and C, Rhode Island National Guard; (1 troop lacking).

Field Artillery:

Second Regiment, National Field Artillery: Commander — To be detailed from the United States Army.

1st Battalion: (1 United States battery lacking); Batteries A and C, Massachusetts Volunteer Militia.

2d Battalion: (1 United States battery lacking); Batteries A, Connecticut National Guard, and B, Massachusetts Volunteer Militia.

Engineers:

Second Battalion, Corps of Engineers, National Guard of New York.

Signal Corps:

Company A, Signal Corps, Connecticut National Guard, and Signal Corps, Massachusetts Volunteer Militia.

Ambulance companies:

(United States Army, lacking); Ambulance Company, Massachusetts Volunteer Militia.

Field hospitals:

(United States Army, lacking.)

c. Third Division.

Commander — Commander, Division, National Guard of New York.

First Brigade: Commander — Commander, 1st Brigade, National Guard of New York.

7th Infantry, National Guard of New York.

12th Infantry, National Guard of New York.

71st Infantry, National Guard of New York.

Second Brigade: Commander — Commander, 2d Brigade, National Guard of New York.

14th Infantry, National Guard of New York.

23d Infantry, National Guard of New York.

47th Infantry, National Guard of New York.

Third Brigade: Commander — Commander, 3d Brigade, National Guard of New York.

1st Infantry, National Guard of New York.

2d Infantry, National Guard of New York.

10th Infantry, National Guard of New York.

Cavalry:

Third Regiment, National Cavalry: Commander—To be detailed from the United States Army.

1st Squadron: 1 squadron, United States Cavalry (stationed at Fort Ethan Allen).

2d Squadron: Squadron A, National Guard of New York.

3d Squadron: Squadron C, National Guard of New York.

Field Artillery:

Third Regiment, National Field Artillery: Commander—To be detailed from the United States Army.

1st Battalion: (1 United States battery lacking); 1st and 2d Batteries, National Guard of New York.

2d Battalion: (1 United States battery lacking); 3d and 6th Batteries, National Guard of New York.

Engineers:

Third Battalion, Corps of Engineers, National Guard of New York.

Signal Corps:

First and 2d Companies, National Guard of New York.

Ambulance companies:

(United States Army, lacking.)

Field hospitals:

(United States Army, lacking); Field Hospital, National Guard of New York.

3. The commanding general, Department of the East, will keep himself duly informed of the status of the State forces named herein as to organization, equipment, and training. For this purpose, he will enter into such intimate and cordial relations with the military authorities of the States as may be practicable. He will be charged with the detailing of officers to make the inspections required by law and regulations; he will scrutinize all requisitions for military supplies forwarded through his headquarters by the military authorities of the various States; he will keep himself duly informed by arrangement with the State authorities and by such personal examination and observation as may be practicable as to the efficiency for field service of the State forces; he will give such assistance in instruction and training as may be requested by the State authorities and as may be practicable without interfering with the instruction and training of the regular troops in the Field Army District; he will ascertain, as far as may be practicable, the degree of care exercised by the State authorities in storing and preserving United States property, and will advise them as to the proper methods to be followed in regard thereto. In his annual report he will give an account of the duties he has performed in connection with the State forces, and will express his opinion as to the fitness of those forces for field service.

4. In order that the commanding general, Department of the East, may be able to perform the duties herein prescribed, the last paragraph, Orders (M), War Department, June 10, 1908, is hereby modified as regards the States of the First Field Army District, and the channel of communication between the Secretary of War and the Adjutants-General of those States will be through the commanding general, Department of the East, and the Adjutant-General of the Army. The provisions of paragraphs 787 and 791, Army Regulations, will be observed.

5. The commanding general, Department of the East, is authorized to detail for duty at his headquarters an officer of the line of the Regular Army as assistant in matters pertaining to the organized militia of the First Field Army District.

6. Officers and enlisted men of the divisions herein created will wear on the left side of the campaign hat a badge in the form of a shield, the division being indicated thereon by a numeral. When the campaign hat is not worn the division badge may be worn on the left breast of the coat immediately above the line prescribed for other badges and medals.

For division headquarters troops, and for cavalry and field artillery, the background for the division numeral will be of red, white, and blue; for troops of the first brigade it will be of red; for those of the second brigade, of white, and for those of the third brigade, of blue; all to conform to the sealed patterns in the office of the Quartermaster-General.

BY ORDER OF THE SECRETARY OF WAR:

J. FRANKLIN BELL,
Major-General, Chief of Staff.

OFFICIAL:

HENRY P. MCCAIN,
Adjutant-General.

By Command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, April 5, 1910.

GENERAL ORDERS, }
No. 16.

So much of General Orders, No. 62, from this office, November 12, 1909, as relates to the dates for the annual inspection and muster of Companies H, L, K, and I, 2d Infantry, is amended as follows:

- Co. I, 2d Regiment (9th Sep. Co.) Whitehall, April 28th;
- Co. K, 2d Regiment (18th Sep. Co.) Glens Falls, April 27th;
- Co. L, 2d Regiment (22d Sep. Co.) Saratoga Springs, April 26th;
- Co. H, 2d Regiment (46th Sep. Co.) Amsterdam, April 25th.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

ALBANY, April 14, 1910.

GENERAL ORDERS, }
No. 17.

I. The Major-General, commanding the Division, National Guard, is hereby granted authority to organize and prepare a team to represent the State of New York in the competition for the national trophy for the year 1910 to take place at Camp Perry, Ottawa county, Ohio. This team, in number not more than twenty-one, will be allowed such transportation and subsistence as directed by the Major-General, commanding the Division, National Guard, and approved by the Governor; which allowances are authorized for the preliminary team practice, and for the period required for participating in the national match and for traveling to and from Camp Perry, Ottawa county, Ohio.

II. The following extracts from General Orders No. 26, War Department, February 17, 1910, are published for the information of all concerned:

* * * * *

NATIONAL MATCHES.

2. For the year 1910 the national matches will be held at Camp Perry, Ottawa county, Ohio, commencing Monday, August 22, 1910, beginning with the national team match, to be followed in succession by the national individual match and the national revolver match.

3. Friday, August 19, and Saturday, August 20, are designated as the dates for the preliminary team practice hereinafter mentioned, which will be optional with team captains.

4. The national matches will be preceded by two days' preliminary team practice, the amount and kind for each team to be determined by the respective team captains; the time for firing and the ranges, targets, etc., for this practice to be allotted each team by the executive officer, who will meet requests as far as practicable.

5. Practice is not prohibited prior to the matches of the National Rifle Association and the two days' preliminary practice.

NATIONAL TEAM MATCH.

6. Open to teams of twelve men from the following:

- (a) The Army of the United States, two — one cavalry and one infantry.
- (b) The United States Navy, one.
- (c) The United States Marine Corps, one.
- (d) The United States Military Academy, one.
- (e) The United States Naval Academy, one.
- (f) The organized militia and the naval militia of the several States and Territories, including the District of Columbia, one team from each State, Territory, and the District of Columbia. For the purpose of this match the term organized militia is held to include the several arms, corps, and departments which constitute it.

The members of each team to be officers, cadets, midshipmen, or enlisted men of the corps or organization which they represent, and to appear in the service or authorized uniform.

7. Kinds of fire: Slow, rapid, and skirmish.

8. Distances:

Slow fire — 200, 600, and 1,000 yards.

Rapid fire — 200 yards.

Skirmish fire — 1 run.

9. Number of shots:

Slow fire — 2 sighting shots and 10 shots for record at each range.

Rapid fire — 10 shots.

Skirmish fire — 20 shots.

10. Positions:

(a) For slow fire, standing at 200 yards, and prone with head toward target at all other ranges.

(b) For rapid fire as prescribed in paragraph 51 of this order.

11. Arm: United States service rifle (United States rifle, model 1903). The trigger pull must always be at least three pounds. Rifle to be used as issued by the Ordnance Department without alteration or modification of any kind or character whatsoever. A violation of this rule in any respect shall disqualify a team or a competitor. Each team captain will certify upon

his honor that the rifles used by his team are as issued by the Ordnance Department, as provided in this paragraph.

For the purpose of securing rifles which shall be uniform in character, the Ordnance Department shall be authorized to select star-gauged rifles of as high grade as can be produced, for issue to the proper authorities for the use of teams and individuals competing in the national matches.

12. Ammunition: For the purpose of securing ammunition for the national matches which shall be uniform and at the same time of as high grade as possible consistent with its manufacture in large quantities, as would be required in war, the Chief of Ordnance has asked for bids from all of the companies in the United States making .30 caliber service ammunition, suitable for use in the model 1903 United States rifle. This ammunition is to be manufactured under such specifications as will allow as much latitude as possible to the makers of commercial ammunition consistent with the production of ammunition suitable for military use. The deliveries of ammunition are to be made not later than May 1. The Ordnance Department shall manufacture 1,000,000 rounds for the same purpose at the same time. A test to determine which of the various kinds of ammunition made by commercial makers and the Ordnance Department is best will be conducted in sufficient time to allow the issue of the amount necessary for preliminary practice at home stations as near June 1 as practicable. This test shall be carried on by a committee of five appointed by the Secretary of War, of which one member shall be an officer of the Ordnance Department, two members from the National Board for the Promotion of Rifle Practice, and two members from the national guard not members of said board. The ammunition tested will be taken from the lots in such a way as to insure that it is a fair sample of the whole. At the completion of the test and the determination as to the superiority of the ammunition, the balance of the lot selected will be set aside for preliminary practice and for the national matches. Each of the teams to compete will receive approximately 15,000 rounds for preliminary practice at home stations and 3,600 rounds for preliminary practice and the matches. The proper officer authorized to do so can immediately draw approximately 15,000 rounds for preliminary practice; the balance, 3,600 rounds, being a sufficient amount for preliminary practice and the national matches, will be sent by the Ordnance Department, just prior to the date of the matches, to the point where the national competition is to be held, and there 1,200 rounds for preliminary practice will be issued by the ordnance officer to the team captains on requisition and the quantity necessary to shoot the matches will be issued under such regulations as will insure the use of this ammunition and no other in the matches.

13. Distances and order of fire:

- (1) 200 yards, slow fire.
- (2) 600 yards, slow fire.
- (3) 1,000 yards, slow fire.
- (4) 200 yards, rapid fire.
- (5) 1 skirmish run.

This order of fire will not be changed.

Members of teams who have completed firing at one range may proceed to the next range as stated in the foregoing order of fire in order to commence firing there if, in the opinion of the executive officer, such course is necessary.

14. Rules and prizes: Rules governing and prizes awarded are those published in this order:

- (a) Based upon their relative standing in the national team match of 1909, teams representing the United States Cavalry, the United States Infantry, the United States Navy, the United States Marine Corps, the United States Military Academy, the United States Naval Academy, the several States and Territories and the District of Columbia are hereby divided into three classes, to be known as Class A, Class B, and Class C, respectively.
- (b) Class A shall be composed of the first fifteen teams as announced in the official standing for 1909.
- (c) Class B shall be composed of the second fifteen teams as announced in the official standing for 1909.
- (d) Class C shall be composed of the remaining teams as announced in the official standing for 1909 and such additional teams as may be properly placed in that class as hereinafter provided.
- (e) That for purposes of classification any team which has not heretofore competed in the national team match shall, in its first competition in said match, be placed in Class C.
- (f) That any team which has heretofore competed in the national team match, but which did not compete in 1909, shall, upon re-entry into the competition, be placed in the class to which it would be entitled to be placed by giving to that team a serial number the same as it had in the last national team match in which such team competed. By operation of this paragraph Class A or Class B may have more than fifteen teams, the number being increased by the teams thus added.
- (g) Prizes:

Class A.

First prize, The National Trophy, \$450 cash, and to each member of the winning team a bronze medal.

Second prize, \$350 cash and to each member of the winning team a bronze medal.

Third prize, \$300 cash and to each member of the winning team a bronze medal.

Fourth prize, \$250 cash and to each member of the winning team a bronze medal.

Class B.

First prize, The Hilton Trophy, \$350 cash, and to each member of the winning team a bronze medal.

Second prize, \$250 cash and to each member of the winning team a bronze medal.

Third prize, \$225 cash and to each member of the winning team a bronze medal.

Fourth prize, \$200 cash and to each member of the winning team a bronze medal.

Medals for Class B to be of different design from those for Class A.

Class C.

First prize, The Bronze Soldier of Marathon, \$300 cash, and to each member of the winning team a bronze medal.

Second prize, \$200 cash and to each member of the winning team a bronze medal.

Third prize, \$175 cash and to each member of the winning team a bronze medal.

Fourth prize, \$150 cash and to each member of the winning team a bronze medal.

Medals for Class C to be different in design from those for either Class A or Class B.

- (h) No team shall be eligible to win a prize in a class lower than the one in which it shall have been rated for the year.
- (i) Teams classified in Class B or Class C making a total score sufficient to win any prize in a higher class must take the place and prize in the higher class to which such total score entitles them.
- (j) Hereafter each year the teams competing in the national team match shall be reclassified upon the basis of their standing in the national team match immediately preceding, or if a team has not competed in the last national team match, then as hereinbefore provided.
- (k) No team shall be eligible to win more than one prize in same national team match.

15. Six members of the team winning first place, five members of the team winning second place, four members of the team winning third place, three members of the team winning fourth place, actually firing in Class A, shall not be eligible to compete again as members of a contesting team for the next three consecutive competitions, the men to be eliminated to be those who have theretofore participated in the greatest number of competitions for the National Trophy. This

rule shall not apply to teams from the United States Military Academy, the United States Naval Academy, and to teams winning prizes in classes B and C. The violation of this rule by any team, except the teams referred to in the preceding sentence, when called to the attention of the executive officer, shall disqualify such team from the match. A person eliminated under this rule, who has become eligible after the expiration of three years, shall be considered as a new member.

16. No person who is either a principal or an alternate in any team entered in the competition for the National Trophy shall be eligible to serve either as a principal or an alternate in any other team at the next yearly competition for the National Trophy. This provision applies to members of teams from the United States Military Academy and the United States Naval Academy.

17. No person shall be a member of any team in the national team match, or act as captain, coach, spotter, or alternate of such team, who does not present a certificate from the adjutant-general of the State, Territory, or District of Columbia, to which he belongs—or if from a team belonging to the regular establishment a certificate from competent authority—showing that he has done 75 per centum of military duty during the twelve months preceding the competition, and that he is eligible as a member of his team under the conditions of this match: *Provided*, That a team from a State not heretofore competing in the national team match may be composed of members who have done 75 per centum of military duty as above set forth for a period of six months preceding the competition. These certificates shall be prepared upon a blank provided by the War Department, and will be submitted at least twenty-four hours before the beginning of the match to the executive officer, who shall pass thereon. By the term "military duty" above referred to is meant parades, drills, encampments, and other duties of a similar nature.

18. Before 8 o'clock a. m. of the day preceding the match each team captain will submit to the executive officer, on a blank form furnished for this purpose, a legible list of the members of his team.

19. In preparing estimates for expenses and transportation, the following should be provided for: 1 team captain, 1 team coach, 1 team spotter, 12 principals, and 3 alternates—18 in all; and in addition 1 range officer and 1 surgeon if desired.

20. The Chief of Staff of the Army is the proper custodian of the National Trophy when won by the Army; the Chief of the Bureau of Navigation, Navy Department, when won by the Navy; the commandant of the Marine Corps when won by the Marine Corps; the Superintendent, United States Military Academy, when won by the Corps of Cadets; the Superintendent, United States Naval Academy, when won by the midshipmen; the adjutant-general of the State or Territory when won by the team of a State or Territory, and the commanding general of the militia of the District of Columbia when won by a team of the District of Columbia.

III. The division of the teams into classes, as shown in the following table, is based on the relative standing of those teams at the completion of the national team match of 1909, and will be the classi-

fication for prize-winning purposes during the national team match of 1910.

TABLE I.—*List of teams representing the United States Army, United States Navy, United States Marine Corps, United States Naval Academy, and the organized militia of the several States and Territories and the District of Columbia in the National Matches of 1909, with aggregate scores, in the order of standing.*

CLASS A.	
1. United States Navy.....	3, 801
2. United States Army Infantry.....	3, 752
3. Massachusetts	3, 727
4. United States Army Cavalry.....	3, 726
5. Ohio	3, 715
6. Wisconsin	3, 695
7. New York	3, 686
8. Pennsylvania	3, 672
9. United States Marine Corps.....	3, 671
10. Iowa	3, 651
11. Illinois	3, 594
12. Oregon	3, 585
13. Maryland	3, 570
14. Connecticut	3, 565
15. California	3, 560
CLASS B.	
16. District of Columbia.....	3, 554
17. Texas	3, 550
18. Maine	3, 548
19. West Virginia.....	3, 547
20. Minnesota	3, 547
21. New Jersey.....	3, 534
22. Colorado	3, 532
23. Indiana	3, 530
24. Hawaii	3, 520
25. Michigan	3, 518
26. Alabama	3, 515
27. Georgia	3, 496
28. Tennessee	3, 494
29. Missouri	3, 455
30. Delaware	3, 449
CLASS C.	
31. Arizona	3, 443
32. Wyoming	3, 442
33. Kansas	3, 433
34. Rhode Island.....	3, 415
35. North Dakota.....	3, 376
36. Mississippi	3, 334

37. Utah	3, 311
38. Virginia	3, 307
39. South Carolina.....	3, 305
40. Nebraska	3, 304
41. Florida	3, 266
42. Montana	3, 260
43. South Dakota.....	3, 259
44. New Mexico.....	3, 148
45. Arkansas	3, 095
46. Idaho	3, 093
47. United States Naval Academy.....	3, 073
48. Louisiana	3, 023

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *April 15, 1910.*

GENERAL ORDERS, }
No. 18. }

On the recommendation of the Militia Council, made in accordance with General Orders, No. 5, from this office, February 7, 1910, action with reference to the first, second, third and fourth recommendations of the Court of Inquiry on the Second Battalion, Tenth Infantry, is as follows:

"First.—That regimental headquarters be established at the place where the commanding officer of the regiment resides."

This recommendation is disapproved.

The headquarters of a regiment should be permanent, and there are suitable armory accommodations at Albany. Headquarters of the Tenth Infantry will remain as established by General Orders, No. 10, from this office, April 21, 1905.

"Second.—That the lieutenant-colonel of the regiment be assigned to quarters at regimental headquarters as so established."

This recommendation is disapproved.

The lieutenant-colonel, like the colonel, should officially be quartered at regimental headquarters.

"Third.—That so much of G. O. 2, 10 R., s. 1905, as provided for the establishment of headquarters of the Third Battalion, Tenth Regiment, at the State Armory, Albany, be revoked."

This recommendation is approved.

The regulations do not authorize a separate headquarters for a battalion, part of a regiment, and the order is therefore improper. The major can be assigned personal quarters in the armory at the station where he resides.

"Fourth.—That by regimental order, the major of the Second Battalion be given authority, as representative of the commanding officer of the regiment, to administer the affairs of the Second Battalion, to enforce discipline and to carry out its military instruction in all details, subject to such general regulations as may be laid down by the commanding officer of the regiment, and to issue and enforce all orders necessary to carry out such general instructions, his orders, so issued, to have the unqualified support of the commanding officer of the regiment."

This recommendation is approved in part.

The major of the Second Battalion will be made responsible for the affairs of that battalion, under the direction of the colonel.

The major-general commanding the Division will issue or cause to be issued the orders necessary to carry the foregoing into effect.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 30, 1910.

GENERAL ORDERS, }
No. 19. }

I. Paragraph II of General Orders No. 70, Adjutant-General's Office, Dec. 24, 1909, is amended to read as follows:

II. Officers of the signal corps will be assigned to duty as follows:

One lieutenant colonel as chief signal officer on the staff of the major-general commanding the Division;

One major to the staff of each of the generals commanding the 1st, 2nd, 3rd and 4th Brigades;

One captain to each of the 1st and 2nd Companies;

Three first lieutenants to each of the 1st and 2nd Companies.

II. On the recommendation of the major-general commanding the Division, the maximum number of enlisted men of the organizations named below is fixed as follows:

Companies of the signal corps at
 3 master signal electricians,
 10 sergeants, first class,
 10 sergeants,
 10 corporals,
 2 cooks,
 45 privates, first class,
 20 privates.

Batteries of field artillery at
 1 first sergeant,
 1 quartermaster sergeant,
 1 stable sergeant,
 6 sergeants,
 12 corporals,
 3 cooks,
 1 chief mechanic,
 4 mechanics,
 2 musicians,
 102 privates.

(Pers. Div. 227)

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 2, 1910.

GENERAL ORDERS, }
 No. 20. }

The following changes have occurred since February 28, 1910, in the National Guard and Naval Militia of this State:

NATIONAL GUARD.

APPOINTMENTS.

Ordnance Department.

Dwight Edwards Austin, first lieutenant, with rank from March 30, 1910.

Medical Corps.

Nelson Gorham Russell, major, with rank from March 13, 1910.

Frederic Dan Huntington Coerr, first lieutenant, with rank from March 25, 1910.

Harvey Sprague Albertson, first lieutenant, with rank from March 25, 1910.

William Tweedy Getman, first lieutenant, with rank from April 2, 1910.

Daniel Ralph Lucas, first lieutenant, with rank from April 16, 1910.

Corps of Engineers.

Edward William Ladew, second lieutenant, with rank from February 25, 1910.

Signal Corps.

William Leo Hallahan, captain, with rank from March 11, 1910.

CAVALRY.

Squadron A.

Emerson Root Newell, first lieutenant, with rank from March 18, 1910.

Gurdon Moore Maynard, second lieutenant, with rank from April 5, 1910.

Squadron C.

Harold Horner Donaldson, second lieutenant, with rank from February 24, 1910.

FIELD ARTILLERY.

First Battalion.

Julian Christian Batiste Stokes, first lieutenant, with rank from March 18, 1910.

INFANTRY.

First Regiment.

Edward Jenkins Parish, captain, with rank from March 26, 1910.

Charles James Lamb, captain, with rank from April 2, 1910.

Third Regiment.

Edward George Stallman, first lieutenant, with rank from March 8, 1910.

Seventh Regiment.

Francis Xavier O'Connor, first lieutenant, with rank from March 16, 1910.

Eugene McKibbin Froment, second lieutenant, with rank from April 5, 1910.

Tenth Regiment.

George Barnabas Waterman, second lieutenant, with rank from February 21, 1910.

Fourteenth Regiment.

Elbert Eugene Wonderly, first lieutenant, with rank from March 16, 1910.

Edwin Francis Thompson, second lieutenant, with rank from April 15, 1910.

Twenty-third Regiment.

- John Richard Sawyer, captain, with rank from March 2, 1910.
Eitelbert Green, First lieutenant, with rank from March 23, 1910.
George Crawford Douglass, second lieutenant, with rank from March 16, 1910.
Martin Carlos Hoyt, second lieutenant, with rank from March 23, 1910.
Thomas Fairservis, second lieutenant, with rank from April 7, 1910.

Forty-seventh Regiment.

- Theodore Wolff, first lieutenant, with rank from March 23, 1910.
Thomas Alexander Buys, first lieutenant, with rank from March 30, 1910.
William Joseph Dalton, second lieutenant, with rank from March 2, 1910.
William James Dawkins, second lieutenant, with rank from April 7, 1910.

Sixty-fifth Regiment.

- Addison Ray Prudden, first lieutenant, with rank from March 10, 1910.

Sixty-ninth Regiment.

- Charles Augustus Hickey, second lieutenant, with rank from March 16, 1910.

Seventy-first Regiment.

- James Warner Bellah, first lieutenant, with rank from March 9, 1910.

Seventy-fourth Regiment.

- Charles William Floyd, first lieutenant, with rank from March 22, 1910.
Henry Dickson Bagnall, second lieutenant, with rank from March 22, 1910.

COAST ARTILLERY CORPS.

Eighth Artillery District.

- Julius Tannenbaum, first lieutenant, with rank from March 5, 1910.
Arthur Jarvis Slade, first lieutenant, with rank from March 5, 1910.

Ninth Artillery District.

- Thomas William Baldwin, first lieutenant, with rank from October 21, 1904.
William Arthur Wieland, first lieutenant, with rank from March 5, 1910.
John Sherman Cooper, first lieutenant, with rank from March 26, 1910.

BREVETS.

- Captain George Ball, 23rd infantry, major by brevet in the national guard, for meritorious service of more than twenty-five years, with rank from April 1, 1910.

First Lieutenant Henry H. Rogers, aid, 1st brigade, captain by brevet in the national guard, for previous service in the active militia as captain, with rank from March 25, 1910.

First Lieutenant Julius Tannenbaum, coast artillery corps, captain by brevet in the national guard, for previous service in the active militia as captain, with rank from April 14, 1910.

RETIRED.

Major Frederick J. J. Wood, medical corps, April 8, 1910.
Major William H. Linson, 71st infantry, April 8, 1910.

Supernumerary at Own Request and Detailed as Aid.

First Lieutenant Arthur J. Slade, coast artillery corps, to staff of commanding officer, 1st brigade, March 25, 1910.

CASUALTIES.

Full and Honorable Discharge.

Captain Abbott C. Combes, medical corps, March 4, 1910.
Captain Frank William Ketner, 10th infantry, March 24, 1910.
Captain Nelson Mangam Pattison, coast artillery corps, April 8, 1910.
Captain William David Judson, squadron A, cavalry, April 20, 1910.
Captain Henry Warner Johnson, medical corps, April 20, 1910.
Captain George Ball, 23rd infantry, April 20, 1910.
Captain Patrick J. Morgan, supernumerary, April 26, 1910.
First Lieutenant Schuyler Baldwin Peck, 47th infantry, April 1, 1910.
First Lieutenant George Lyon Christian, coast artillery corps, April 8, 1910.
First Lieutenant Edward Holly Wright, 3rd infantry, April 8, 1910.
Second Lieutenant Frederick Jacob Brown, 74th infantry, March 10, 1910.
Second Lieutenant Burdett Kipp, 7th infantry, March 18, 1910.
Chaplain Roland Stafford Dawson, 47th infantry, April 1, 1910.

Honorable Discharge.

First Lieutenant Alphonzo Pelham, coast artillery corps, March 4, 1910.
First Lieutenant Pehr Ragnarson, 14th infantry, April 26, 1910.
Second Lieutenant Marvin Herbert Strong, 2nd infantry, March 18, 1910.

Discharged, M. L. 83.

Second Lieutenant John Demlow Wolf, 74th infantry, March 1, 1910.

Died.

Captain Roland Clark Irving, medical corps, March 17, 1910.

NAVAL MILITIA.

APPOINTMENTS.

Headquarters.

Alfred Brooks Fry, commander, as chief of staff, with rank from February 28, 1910.

Gerard Bostwick Townsend, lieutenant commander, as signal officer, with rank from February 28, 1910.

William James Graham, lieutenant, as aid, with rank from February 28, 1910.

First Battalion.

Russell Raynor, commander, with rank from March 9, 1910.

Telfair Marriott Minton, assistant paymaster of the grade of lieutenant, junior grade, with rank from February 28, 1910.

William Bell Wait, Jr., lieutenant, junior grade, with rank from February 28, 1910.

Third Battalion.

Edward Newton Walbridge, lieutenant commander, with rank from February 28, 1910.

Edwin Conrad Sornborger, navigating lieutenant, with rank from March 25, 1910.

William Bernard Zimmer, paymaster, of the grade of lieutenant, with rank from April 8, 1910.

William John Herriman, surgeon, of the grade of lieutenant, with rank from March 25, 1910.

Frank Howard Ransom, Jr., assistant surgeon, of the grade of lieutenant, junior grade, with rank from August 8, 1907.

Frederick Conrad Zellweger, lieutenant, junior grade, as signal officer, with rank from March 25, 1910.

William James Graham, lieutenant, with rank from February 28, 1910.

Francis Joseph Nugent, lieutenant, junior grade, with rank from March 22, 1910.

CASUALTIES.

Full and Honorable Discharge.

Lieutenant Henry Hall Forbes, surgeon, 1st battalion, March 10, 1910.

Lieutenant, (J. G.), Vaulx Carter, 1st battalion, March 4, 1910.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, May 10, 1910.

GENERAL ORDERS, }
No. 21. }

With reference to participation of coast artillery troops of this State designated by General Orders No. 4, The Adjutant-General's Office, January 31, 1910, in the coast defense exercises to take place in the artillery district of New London, June 10, 1910, to July 7, 1910, inclusive, the following is published for the information and guidance of all concerned:

I. The movement of troops will be under direction of the Commanding Officer, Division National Guard, who will issue the necessary orders to carry out the desires of the War Department.

II. Payment will be made by the State to officers and to enlisted men whose service conforms to the requirements of paragraph 185, Organized Militia Regulations, as amended by Circular 2, Division of Militia Affairs, January 27, 1910, a sum in addition to that received from the United States to equal rates fixed by section 210, Military Law.

III. An additional per diem allowance for subsistence at rate of fifteen cents for each enlisted man, will be paid by the State against proper voucher showing actual purchase of subsistence stores.

IV. Timely requisitions will be made for all public property properly issuable by the State required for equipment of troops.

V. Medical Officers charged with the responsibility will make prompt report required by General Orders No. 7, The Adjutant-General's Office, February 10, 1909.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 10, 1910.

GENERAL ORDERS, }
No. 22.

The following enactments of the Legislature of the State of New York, 1910, amending the Military Law constituting chapter 36 of the Consolidated Laws, and other enactments with relation to the military service, are published for the information and guidance of all concerned.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....

Assistant Adjutant-General.

Chap. 71.

AN ACT authorizing the adjutant-general of the state of New York to issue obsolete ordnance property belonging to the state of New York to city, village or town authorities and state commissions.

Became a law April 5, 1910, with the approval of the Governor. Passed by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The adjutant-general of the state of New York is hereby authorized to issue, upon application approved by the governor, to city, village or town authorities, state commissions, state institutions, bodies intrusted with the care and custody of city, village, town or state property, public schools, and educational or eleemosynary corporations supported in whole or in part by state or municipal funds, obsolete ordnance property belonging to the state of New York. In the month of January of each and every year after the delivery of said ordnance property, the city, village or town authorities, or commissions to whom such property has been issued will render a statement to the adjutant-general in writing, setting forth that the said ordnance property is being cared for and preserved. Whenever the adjutant-general shall have reason to believe that said ordnance property is not receiving care and protection, or continued in use in accordance with the original application, he may reclaim said ordnance property and thereafter assume the custody and control thereof.

§ 2. This act shall take effect immediately.

Chap. 108.

AN ACT to amend the military law, in relation to military courts.
 Became a law April 19, 1910, with the approval of the Governor.
 Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one hundred and thirty of chapter forty-one of the laws of nineteen hundred and nine, entitled "An act in relation to the militia, constituting chapter thirty-six of the consolidated laws," is hereby amended to read as follows:

§ 130. **The military courts.** The military courts of this state shall be:

1. Courts of inquiry.
2. General courts-martial.
3. Garrison courts-martial.
4. Delinquency courts, which are of two kinds (1) for officers, (2) for enlisted men.
5. Summary courts.

§ 2. Section one hundred and thirty-five of said chapter is hereby amended to read as follows:

§ 135. **Offenses of enlisted men triable by general court-martial; penalties.** Enlisted men may be tried by a general court-martial for the following offenses:

1. Disobedience of orders.
2. Disrespect to superiors.
3. Mutiny.
4. Desertion.
5. Drunkenness on duty.
6. Conduct prejudiced to good order and military discipline.
7. Any act contrary to the military law, or to the provisions of the regulations for the government of the national guard.
8. Violation of the by-laws, rules or regulations of an association organized pursuant to this chapter.

On conviction an enlisted man may be sentenced to be dishonorably discharged with loss of time served, reprimanded, and if a noncommissioned officer, reduced to the ranks, or fined to an amount not exceeding fifty dollars or all or either of such fines and penalties.

§ 3. Section one hundred and thirty-seven of said chapter is hereby amended to read as follows:

§ 137. **Delinquency courts for enlisted men.** A delinquency court for the trial of enlisted men shall consist of one commissioned officer, and shall have jurisdiction over the following offenses:

1. Absence without proper excuse from or tardiness without like excuse in attending any drill, parade, encampment, meeting for in-

struction or other duty ordered by competent authority or for failure to make any report, account or return ordered by like authority.

2. Disobedience of orders.
3. Neglecting to take proper care of any arms, equipments or military property, or selling, lending or giving away, or wilfully injuring or destroying any arms, equipments or military property whatever.
4. Disrespect to superiors.
5. Drunkenness on duty.
6. Conduct prejudicial to good order and military discipline.
7. Any act contrary to the military law or to the provisions of the regulations for the government of the national guard.
8. Violations of the by-laws, rules and regulations of an association organized pursuant to this chapter.

The court may inflict fines as follows: (1) For absence without proper excuse from or tardiness without like excuse in attending any drill, parade, encampment, meeting for instruction or other duty ordered by competent authority, a fine not less than one nor more than five dollars for each day or part thereof of such absence; and for each failure to make any report, account or return ordered by like authority a fine of not less than one or more than five dollars for each such failure. (2) For any other offense, a fine not exceeding ten dollars, and in addition a sum equal to the value of any property lost or destroyed assessed by the court. The commanding officer of a regiment, or a battalion or squadron not part of a regiment, the colonel of the corps of engineers and the ranking officer of the coast artillery corps commanding an artillery district may each appoint a delinquency court or delinquency courts for the trial of the enlisted men of his command and of any detachment or department attached thereto or detailed for duty therewith, and shall designate the organizations, detachments and men subject to the jurisdiction of each court. The commanding officer of each brigade may in like manner appoint a delinquency court or delinquency courts for the trial of enlisted men of any organization, detachment or department under his direct command and shall designate the organizations, detachments and men subject to the jurisdiction of each court. The major-general may in like manner appoint a delinquency court or delinquency courts for the trial of enlisted men of any organization, detachment, department or corps not herein provided for and shall designate the organizations, detachments, department or corps and men subject to the jurisdiction of each court. The jurisdiction of a delinquency court to try the offenses specified in this section shall be concurrent with that of general courts-martial and garrison courts-martial, but where the officer who is authorized to appoint the court considers that any offense is of sufficient gravity or that the fine which a delinquency court has power to impose is not a sufficient punishment, such officer may recommend that the trial be had before a general court-martial or a garrison court-martial as the case may be. A delinquency court so appointed shall be permanent and continuous. The officer authorized to appoint such court may at pleasure detail

and relieve therefrom an officer to hold the same. Proceedings pending before the court shall not abate or be suspended by reason of such relief or new detail, and an officer so detailed shall have full power and authority to do and perform all acts necessary to complete any proceedings pending before the court to which he was appointed, and to carry into effect any judgment, mandate, order or process, made or issued by such court previous to his detail. The court may be held at such times and in such places as the officer holding it may direct. The officer constituting the court may appoint, and at any time remove a clerk thereof, who shall receive a reasonable compensation, to be fixed by such officer with the approval of the officer appointing the court.

§ 4. Section one hundred and thirty-nine of said chapter is hereby amended to read as follows:

§ 139. **Oaths and procedure of delinquency courts.** Before entering upon his duties each member of a delinquency court shall take an oath of office to the effect that he will well and truly try and determine, according to evidence, all matters between the people of the state of New York and any person or persons who shall come before the court to which he is appointed. This oath need not be taken in the presence of delinquents and may be taken before any officer authorized by law to take acknowledgments of deeds, or before a field officer or the commanding officer of a brigade, all of whom shall administer the oath without fee. When the court is composed of three officers the junior member may administer the oath to the senior member, who in turn may administer it to the other members. The court shall keep records showing the cases tried and the findings and sentences therein but the evidence taken need not be recorded. No challenges shall be allowed in such courts. No formal charges or specifications shall be required in such court, except that when the offense charged is the failure to make any report, account or return or is one specified in the second, third, fourth, fifth, sixth, seventh or eighth subdivisions of section one hundred and thirty-seven of this chapter the summons shall specify the offense for which the accused is to be tried and briefly state the facts constituting the same. The return of delinquents and of fines and dues under association by-laws shall take the place of charges and specifications and shall be prima facie evidence of the facts therein stated.

§ 5. Section one hundred and forty-two of said chapter is hereby amended to read as follows:

§ 142. **Payment of fines and disposition thereof.** Fines may be paid to the president of a court or to a marshal thereof, and in a delinquency court the president shall record the fact in the records of the court. The amount of any such fine may be noted upon any roll or account for pay of the delinquent and deducted from any pay or allowance due or thereafter to become due him, until said fine is liquidated. Any sum so deducted from any state pay or allowance shall be turned into the delinquency court which imposed the fine and shall be paid over by the officer receiving the same in like manner as provided for other fines and moneys collected under a sentence of a

delinquency court. Any sum so deducted from any United States pay or allowance shall be disposed of as authorized by the laws of the United States and the regulations issued thereunder. A fine or penalty imposed by a military court upon an enlisted man shall be paid by the officer collecting the same into the treasury of the county within which the organization, detachment or corps of which the person paying the same is a member or to which he is detailed or attached is located within thirty days after the collection thereof and shall form a part of and be credited to the military fund of such organization, corps or detachment. A fine or penalty imposed on an enlisted man of the coast artillery corps or a man attached or detailed thereto or serving therewith shall be paid in like manner into the treasury of the county in which the artillery district in which the person paying the fine serves is located and shall be credited to the military fund of such artillery district. The treasurer of such county shall thereupon report the amount thereof, designating the organization to which it belongs, to the adjutant-general of the state. The amount of fines or penalties so collected from any commissioned officer shall be paid by the officer collecting the same, to the adjutant-general of the state, who shall apply the same to the use of the national guard.

§ 6. Section one hundred and fifty-one of said chapter is hereby amended to read as follows:

§ 151. **Attendance of judge-advocate; accused may have counsel.** In courts of inquiry and general courts-martial, a judge-advocate shall attend. In summary courts and delinquency courts and in garrison courts-martial, the service of a judge-advocate may be dispensed with, and in garrison courts-martial a member of the court may be designated to act as its recorder. In all the courts provided by this chapter the accused shall have the right to the assistance of counsel. Any commissioned officer may be detailed as judge-advocate of a military court.

§ 7. Section one hundred and fifty-two of said chapter is hereby amended to read as follows:

§ 152. **Secrecy.** The members and judge-advocates of military courts, except summary courts and delinquency courts, shall keep secret the proceedings and sentence of the court until the same shall have been approved or disapproved by the proper officer, and shall always keep secret the vote and opinion of each member of the court unless required to give evidence thereof by a court of justice.

§ 8. Section one hundred and fifty-three of said chapter is hereby amended to read as follows:

§ 153. **Approval or disapproval of sentence.** The record of the proceedings and sentence of every court-martial shall, without delay, be delivered to the officer ordering the court, or to his successor in command, who shall approve or disapprove thereof. The sentence of every military court except summary courts shall be published in orders as approved or modified.

§ 9. Chapter forty-one of the laws of nineteen hundred and nine, entitled "An act in relation to the militia, constituting chapter thirty-

six of the consolidated laws," is hereby amended by adding thereto a new section, to be section one hundred and fifty-eight thereof, to read as follows:

§ 158. **Summary courts.** Whenever any part of the national guard is on duty under sections one hundred and thirteen, one hundred and fourteen, one hundred and fifteen or one hundred and sixteen of this chapter, or is otherwise on duty so that, by the provisions of this chapter, they are subject to the articles of war of the United States, summary courts for the trial of enlisted men may be appointed by such officers of the national guard as would be entitled to appoint summary courts under the laws and regulations of the United States in case they were officers of the United States army. Such courts shall have jurisdiction over similar persons and have cognizance of similar offenses and shall possess similar power to inflict punishment as like courts have or may hereafter have pursuant to the laws and regulations governing the United States army, except that no sentence of confinement or imprisonment in a guard house, jail or prison shall be for a longer term than until the expiration of the tour of duty of the organization or detachment of which the prisoner is a member or with which he is serving. The officer holding a summary court need not be sworn, no charges or specifications need be served upon the accused and no record of the testimony introduced before said court need be taken. Said courts shall have power to administer oaths and shall possess the same powers to compel the attendance of witnesses and the production of evidence as are specified in section one hundred and forty-seven of this chapter. Where not inconsistent with the provisions of this chapter the procedure of said courts shall be similar to that of summary courts in the United States army. The commanding officers authorized to approve the sentences of summary courts and superior authority shall have power to remit or mitigate the same. Nothing herein contained shall be construed to invest a summary court with exclusive jurisdiction over any person or offense, nor to impair or affect the jurisdiction, power or authority of any other military court.

§ 10. This act shall take effect immediately.

Chap. 125.

AN ACT making an appropriation for the participation of a portion of the national guard and naval militia in the ceremonies attending the dedication of the new soldiers and sailors' monument in the city of Syracuse, on June twenty-first, nineteen hundred and ten.

Became a law April 20, 1910, with the approval of the Governor.
Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The sum of six thousand dollars (\$6,000), or so much thereof as may be necessary, is hereby appropriated out of any

moneys in the treasury not otherwise appropriated, payable on the order of the adjutant-general, for the participation, subsistence and other necessary expenses of such portion of the national guard and naval militia of this state as may be authorized to attend the state encampment of the Grand Army of the Republic in the city of Syracuse, and the dedication on June twenty-first, nineteen hundred and ten, of the new soldiers and sailors' monument in that city; provided that the officers and men so designated shall serve without pay and that the organization so authorized to attend shall pay all expenses incurred in excess of the moneys allowed under the conditions of this act.

§ 2. This act shall take effect immediately.

Chap. 241.

AN ACT to amend the military law in relation to service in the national guard and naval militia.

Became a law May 6, 1910, with the approval of the Governor.
Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one hundred and thirteen of chapter forty-one of the laws of nineteen hundred and nine, entitled "An act in relation to the militia, constituting chapter thirty-six of the consolidated laws," is hereby amended to read as follows:

§ 113. **Service without the state.** The governor may order the active militia or any portion thereof to perform military duty of every description and to participate in small arms and gunnery competitions in this state or in any other state or territory or the District of Columbia or in any fort, camp or reservation of the United States therein and he may authorize the performance of military duty or participation in small arms or gunnery competitions by any part of the active militia anywhere without the state or without the United States. Cruise duty ordered for the naval militia may be required to be performed on United States vessels.

§ 2. Section one hundred and fourteen of said chapter is hereby amended to read as follows:

§ 114. **Application of this chapter to service without the state.** Officers and enlisted men of the active militia shall be subject to and governed by the provisions of this chapter while without this state under the order or authorization of the governor under the preceding section in like manner and to the same extent as when on duty within this state under orders of the governor, as provided in section thirteen of this chapter. Military courts may be convened and held without the state with the same jurisdiction and power of punishment as if held within the state and offenses and delinquencies committed without the state may be tried and punished either without the state or within the state after the termination of the duty.

§ 3. This act shall take effect immediately.

Chap. 242.

AN ACT to amend the military law, in relation to military courts.
Became a law May 6, 1910, with the approval of the Governor.
Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one hundred and thirty-six of chapter forty-one of the laws of nineteen hundred and nine, entitled "An act in relation to the militia, constituting chapter thirty-six of the consolidated laws," is hereby amended to read as follows:

§ 136. Delinquency courts for officers. Delinquency courts for the trial of officers shall have jurisdiction over commissioned officers below the rank of brigadier-general and over the following offenses for:

1. Absence without excuse at any drill, parade, encampment, meeting for instruction or other duty ordered by competent authority.
2. Neglecting to take proper care of any arms, equipment or military property, or willfully injuring or destroying any arms, equipment or military property whatever.

The court may inflict fines as follows:

1. For absence without excuse at any drill, parade, encampment, meeting for instruction or other duty ordered by competent authority, a fine of not less than five dollars nor more than ten dollars for each absence for a day or any part thereof.
2. For neglecting to take proper care of arms, equipments or military property or willfully injuring, destroying any arms or military property whatever, a fine not exceeding ten dollars and in addition the sum equal to the value of any property lost, injured or destroyed assessed by the court.

The governor shall order, or cause to be ordered, such courts, which shall consist of three officers of at least equal grade with the accused.

§ 2. This act shall take effect immediately.

GENERAL HEADQUARTERS, STATE OF NEW YORK.

THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, May 13, 1910.

GENERAL ORDERS, }
No. 23. }

I. The Governor having accepted the invitation of the Secretary of War to detail a portion of the National Guard of this State to participate in the joint Army and National Guard maneuvers at the Pine Plains, Jefferson County, N. Y., hereby designates the following organizations to perform such service for the periods indicated below:

August 1st to 10th, inclusive, 1st Company, Signal Corps; one battalion of Engineers to be designated by the commanding officer, 22d Engineers; Squadron A and Troops B and D, Cavalry; 1st Brigade, lacking the 7th Infantry.

August 11th to 20th, inclusive, Squadron C, Cavalry; 6th Battery, Field Artillery; 2d Brigade, lacking the 14th Infantry.

The Major-General commanding the Division, National Guard, is directed to issue such orders as may be necessary in accordance with the foregoing and with such instructions as may be hereafter received.

II. Such portion of the National Guard as has not been or may not hereafter be designated for camp or field service, season 1910, are hereby excused from such service.

III. The provisions of paragraph 185 of the Militia Regulations, as amended by Circular 2, Division of Militia Affairs, War Department, January 27, 1910, relating to the necessity for at least three months prior service or equivalent instruction of enlisted men will be strictly observed by all commanding officers.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, May 17, 1910.

GENERAL ORDERS, }
No. 24. }

Before a general court-martial which convened at the armory of the 10th Infantry, Albany, pursuant to Special Orders, No. 103, Headquarters Division, National Guard, March 2, 1910, and of which Colonel CHARLES H. HITCHCOCK, 1st Infantry, was president, and Major GEORGE LAWYER, Judge Advocate General's Department, judge advocate, was arraigned and tried—

Captain *William B. Coates*, 10th Infantry.

CHARGE I: "Unmilitary and unofficerlike conduct."

Specification 1. "In that Captain *William B. Coates*, Company A, 10th Regiment, Infantry, N. G., N. Y., while the commanding officer of said company, on or about the 4th day of March, 1909, at the State Armory, in the city of Albany, New York, at a meeting of the Board of Administration of Company A, of which he was a member and at which meeting he presided, requested that he and Sergeant Nolan of Company A, be given the right to use the company name in pro-

curing the use of the armory for the purpose of holding an athletic meet, the proceeds of which should belong personally to himself and Sergeant Nolan."

Specification 2. "In that Captain *William B. Coates*, Company A, 10th Regiment, Infantry, N. G., N. Y., while the commanding officer of said company, in or about the month of March, 1909, at the State Armory, in the city of Albany, stated to the enlisted men of his company, that when the members thereof should not longer desire him as a commanding officer he would resign."

CHARGE II. "Conduct to the prejudice of good order and discipline."

Specification 1. "In that Captain *William B. Coates*, Company A, 10th Regiment, Infantry, N. G., N. Y., in or about the month of December, 1907, at the State Armory, in the city of Albany, New York, while in command of Company A, marched his company from the drill floor before recall, and that upon inquiry by Major Charles B. Staats, 2d Battalion, 10th Regiment Infantry, N. G., N. Y., concerning the reason why the company had been marched from the drill floor before recall, Captain *Coates* replied: "That is my business why I took the company off the floor." That thereafter, and in and about the month of December, 1907, Major Staats directed Captain *Coates* to report to him personally, and that when he reported, asked him if he had sent that message and that Captain *Coates* replied: "Yes, I have but one commanding officer."

CHARGE III. "Conduct unbecoming an officer and a gentleman."

Specification 1. "In that Captain *William B. Coates*, Company A, 10th Regiment, Infantry, N. G., N. Y., and while commanding officer of said company, on or about the 4th day of March, 1909, at the State Armory, in the city of Albany, New York, at a meeting of the Counsel of Administration of Company A, of which he was a member and at which meeting he presided, requested that he and Sergeant Nolan be given the right to use the company name in procuring the use of the armory for the purpose of holding an athletic meet, the proceeds of which should belong personally to himself and Sergeant Nolan."

To which charges and specifications the accused pleaded as follows:

To the 1st *Specification*, 1st Charge, "Guilty."

To the 2d *Specification*, 1st Charge, "Not Guilty."

To the 1st Charge, "Not Guilty."

To the 1st *Specification*, 2d Charge, "Guilty," and further pleads the statute of limitations in bar of trial.

To the 2d Charge, "Not guilty."

To the 1st *Specification*, 3d Charge, "Guilty."

To the 3d Charge, "Not Guilty."

FINDINGS.

- Of the 1st *Specification*, 1st Charge, "Guilty."
- Of the 2d *Specification*, 1st Charge, "Not Guilty."
- Of the 1st Charge, "Guilty."
- Of the 1st *Specification*, 2d Charge, "Not Guilty."
- Of the 2d Charge, "Not Guilty."
- Of the 1st *Specification*, 3d Charge, "Guilty."
- Of the 3d Charge, "Guilty."

SENTENCE.

"To be dismissed from the service."

The sentence having been approved by the convening authority in accordance with the following opinion of the Judge Advocate, Division National Guard:

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

STEWART BUILDING, 280 BROADWAY,

NEW YORK CITY, April 28, 1910.

ADJUTANT-GENERAL DIVISION, N. G., N. Y.

SIR.— I have examined the record of the proceedings of the trial by general court-martial of Captain William B. Coates, Co. A, 10th Infantry.

The accused appeared in person and had the assistance of counsel throughout the trial. He was arraigned upon three charges: First, "Unmilitary and Unofficerlike Conduct," second, "Conduct to the Prejudice of Good Order and Military Discipline", and third, "Conduct Unbecoming an Officer and a Gentleman."

At the opening of the trial his counsel objected that the appointment of the Court was irregular and that the Court was without jurisdiction to try him because it was appointed by S. O. 103, dated March 2, 1910, and by S. O. 104, dated March 2, 1910, Captain Coates was suspended and relieved from command, this order being received by him on March 3, 1910.

To sustain this objection counsel read from M. L. 133 the provision that

"When an officer or enlisted man is put in arrest for the purposes of trial a copy of the charges and specifications upon which he is to be tried shall be delivered to him or left at his last known place of abode or business within twenty days after his arrest and a court shall be ordered for his trial within thirty days after the notice of arrest is received by the officer authorized to order the Court."

The point of the objection was that as the order for the arrest of the accused and the order appointing the Court both bore the same date, March 2d, and as the accused was not actually put in arrest until March 3d, the order appointing the Court could not have been made within thirty days after notice of the accused's arrest had been received by the officer appointing the Court.

The Court overruled this objection and in my opinion properly disposed of it.

The quotation read by counsel from M. L. 133 contains only a part of that section of which it is the first sentence. The next sentence reads

"If a copy of the charges and specifications be not served or a court be not ordered within the time herein limited the arrest shall cease but such charges and specification may be served, a court ordered and the officer or enlisted man be brought to trial within twelve months after such release from arrest."

When an officer has committed an offense for which charges are to be preferred, it is customary to put him in arrest. This involves a suspension of his military functions but does not entail confinement (R. 431). An arrest may, however, be dispensed with until the time of trial arrives or, indeed, altogether without in any way affecting the jurisdiction of the Court appointed to try the officer (1 Winthrop M. L. 158). The continuance of an officer on duty until his trial begins is expressly authorized in the State service by R. 438. In other words, an officer has no right to insist that he be arrested, but that action rests in the discretion of his superiors (R. 438).

In the light of this it is plain that the purpose of M. L. 133 was to prevent an accused from being kept under charges or in arrest for an indefinite time and to secure to him a speedy trial after he had once been put in arrest. This is the construction uniformly put upon A. W. 71 which regulates the practice in such matters in the United States service and requires charges to be delivered to an officer affected thereby within eight days after his arrest and requires his trial within ten days thereafter unless the necessities of the service prevent, when he must be tried within thirty days or the arrest ceases, and in any event he must be tried "within twelve months after such release from arrest." (Davis M. L. 488; Dudley M. L. Sec. 91.)

Another objection made by counsel was that the charges were not endorsed with the approval of the officer having power to refer them for trial pursuant to O. D. 371. But

O. D. 371 reads "The following is a form of endorsement referring charges to trial." This language is not mandatory, it is only directory. The manner in which the charges shall reach the Court is not restricted to the use of the precise formula set out in this section. The record shows that the charges were presented to the Court by the Judge Advocate. He is the recognized channel of communication between the convening officer and the Court (R. 470) and the papers were, therefore, presented to the Court by one regularly authorized to receive them. In addition the order in this case specifically names Captain Coates as one of several persons to be tried by it. The original charges are not before me, but assuming that they contained no such endorsement the action of the Court in overruling the objection was in my opinion proper. At best the question presented was one of irregularity and not a jurisdictional defect.

Upon arraignment when called upon to plead to Specification 1 of the second charge the accused said:

"I wish to interpose two pleas, if the Court please, first guilty for the reason that I have already suffered the humility and penalty of this charge and cannot be tried again for the same offense; that it has run against the Statute of Limitations, the offense having occurred in 1907, December." (112, 113.)

To sustain a plea of former conviction or former acquittal an accused must show that the previous offense was the same as that for which he is about to be tried and that he was actually convicted or acquitted thereof. (1 Winthrop M. L. 388, 390, 400; Dudley M. L., Sec. 196.) There is no evidence in the record even tending to show this and none was offered.

It appeared in the testimony that the accused was required to apologize and did apologize for the occurrence which formed the basis of this specification. If the plea were based on this fact it amounted only to a plea of former punishment, which is not recognized as a plea in bar. Evidence of such punishment is admissible in mitigation but not as a defense to a charge. (1 Winthrop M. L. 411.)

This was the proper time for the accused to avail himself of the Statute of Limitations by plea (R. 537) and the Court should either have overruled or sustained it. (U. S. Ct. M. Manual, page 33, subd. 7; Dudley M. L., Sec. 392.) This the Court did not do. The trial was proceeded with and it was not until at its very close that the question of the Statute was again alluded to. (172, 173.)

As the specification alleged the offense to have been committed in the month of December, 1907, and this was confirmed by the evidence, the plea should have been sustained. The failure of the Court to record its formal action upon the plea was, however, acquiesced in by the counsel for the accused and the latter has been in no way prejudiced inasmuch as the Court acquitted him on both the charge and the specification.

The accused pleaded guilty to the first specification under the first charge but not guilty to the charge, and he also pleaded guilty to the same specification under the third charge and not guilty to that charge, thus admitting the facts but claiming that they did not constitute in law the charges accompanying them.

The specification in each instance alleged that at a meeting of the Council of Administration of his Company at which he presided, the accused requested that authority be given to him and to Sergeant Nolan of his Company to use the Company name in procuring the use of the armory for an athletic meet, the proceeds of which should belong to them personally.

Former Sergeant MacFarlane testified that he was present at a meeting of the Council when the Captain asked leave to hold a meet or marathon under the auspices of the Company and to keep the proceeds. (118.) He asked what benefit the Company got, and he thinks the Captain said "Not any." It was finally decided that the Captain could hold the meet, using the Company name to obtain the armory and give the Company twenty per cent. for the privilege. (119.)

Former Quartermaster Sergeant Wolfe testified that he was present at the meeting; that he was shocked with the Captain's request to use the Company name but retain the proceeds (123), but this was voted down and the Captain was authorized to use the Company name to get the floor but not thereafter. (124.) Subsequently at a meeting of the Company, Private Olena asked if the Company was to get any benefit out of it and the Captain replied that it was none of the Company's business. (125.) The Captain at the meeting of the Council requested that his proposed action should be kept as far as possible from the members of the Company. The witness asked the Captain if he thought he was doing the right thing. (126, 127.) He states that the Council consisted of the Captain, the two Lieutenants and some non-commissioned officers, about ten or twelve in all. (127.) Substantially the same testimony was given by former Private Funcke. (132.)

Former Private Mills testified that he was present at the Company meeting when the matter came up; that there was discussion adverse to holding the meet. He heard Private Olena ask who was going to get the meet up and the Captain replying in substance, "It was none of the Company's business." (137, 138.) He recalls Sergeant Wolfe asking the Captain if it was right for him to make a profit, and the Captain replying perfectly proper. (137, 138.)

Former Private Kattrein was present at the meeting of the Council of Administration and heard the Captain propose to run a meet for the benefit of himself and Nolan, to which there was much objection. The witness himself objected. He had been treasurer of a meet that realized \$900 and the Captain said if he and Nolan made enough the Company might get \$200. (144.) A motion was made that the Captain's proposition be accepted. There was much discussion and finally it was resolved that the Captain could use the Company's name to get the drill shed floor, but should pay the Company twenty per cent. of anything realized. (145.) It was requested that the matter should be kept secret. The Captain said the members of the Company did not need to know about it. (145.)

Post Quartermaster Sergeant Westcott testified to substantially the same effect. He added that he was present at a meeting of the Company later when some one asked the Captain if he thought it right to hold the meet and he and Sergeant Nolan have all the benefits and he replied, "Yes, as an individual I think it is right. Not as a captain but as an individual." (158.) This witness was Secretary of the Council at the time of its meeting referred to. (160.)

Lieutenant Donner testified to substantially the same occurrences at the meeting of the Council and added that he was present at the Company meeting later and heard the witness Wolfe ask the Captain if what he proposed to do was right and heard the latter's reply that he had a right to hold the meet as an individual. (164.) The Captain said the Company would receive \$100 and might as well have it as to give it to the Battalion under the agreement which existed that when the armory was hired out the rental was divided up between the four Companies and Headquarters. (165.)

First Sergeant Gavitt testified to a conversation with the Captain previous to the meeting of the Council, about a week before, when the Captain told him what he proposed to bring before the Council (167), and stated that his purpose in getting the use of the armory in the Company's name through the Council was in order that the Company should get a greater benefit thereby than it could possibly get if he should apply for the use of the armory as a private citizen because of this agreement as to division of rentals. (168.)

Captain Coates testified that before the Council meeting he talked with several members of his Company about having an athletic meet which he thought a good proposition, but they did not seem to like it and he continued,

"I thought I was perfectly privileged to go into a little enterprise of my own and in view of this agreement that is standing downstairs between the Companies whereby the rental is to be divided between the four Companies and Headquarters, share and share alike, I thought it better to give them the rental than to have it go downstairs and be divided up. In that case they would only get one-fifth where if I could use the Company's name they would get at least \$200. That is what prompted this. However, it never took place." (171.)

To this he adds that he never held out at any time or in any way that he intended to conduct the enterprise in any other capacity than as that of an individual and he adds:

"When I found the feeling of the members was against it I then made application for the armory as a personal matter, and it was returned to me with an endorsement that I could have the use of the armory in consideration of the sum of \$100 rental and such other expenses, such as lighting, heating, etc., and the filing of a bond for \$1,000, and with the approval of the C. O. of the Brigade." (170, 171, 172.)

He further says he never made any application for renting the armory in the name of the Company and the matter was dropped. (172.)

The first charge against the accused was "Unmilitary and Unofficerlike Conduct," and the third charge was "Conduct Unbecoming an Officer and a Gentleman." Upon both charges the Court has found the accused guilty. The first charge would be supported by proof of some action relating to a military matter which was not proper to be taken by an officer. The latter charge requires something more. The punishment of this offense is regulated in the U. S. service by A. W. 61, commenting on which Col. Dudley says:

"The specific conduct which will render an officer liable to punishment under it is not stated in the article; that is determined according to the circumstances of each case by the court-martial trying it, in accordance with the recognized customs and usages of the service and the general sentiment of the Army and community at large as to what is accepted as moral fitness and worthiness in a man of honor; that is to say, a man of a high sense of justice, an elevated standard of morals and manners, and of corresponding deportment, which constitute the 'gentleman' which every officer of the Army is bound by the law to be." (Dudley M. L. Sec. 468.)

It is not necessary to restate the evidence which has just been summarized. It is beyond question that the accused sought to obtain the use of the armory for his personal benefit by means of deceptive and misleading statements. The theory that he was acting as an individual and not as an officer cannot be admitted. The application for the use of the armory would necessarily go to his associates in the service to be passed upon by them, and he and the members of his Company were interested in the matter as members of the military service of the State. His proposed application for the use of the armory involved a false and misleading presentation of facts to the officers called on to act upon it. On its face it would be for the Company's benefit, while in fact the proceeds would go to the Commanding Officer and Sergeant Nolan. Captain Coates' statement that this peculiar form of application was adopted for the benefit of the Company because it would avoid a division of rental with the other Companies and Headquarters in the armory does not fit with the testimony of the witnesses that his original proposition made no provision in favor of the Company. It was not until this proposition had been voted upon and defeated and the members of the Council became insistent that it was so changed as to require twenty per cent. of the proceeds to be retained for the benefit of the Company, and even then the proposition was that the name of the Company should be used to obtain the use of the armory but not thereafter.

Such conduct certainly was unofficerlike and unarmylike and it could not fail to lower Captain Coates in the estimation of the officers and men to whom he should have been an example. It was more than that, it involved a deceitful and misleading statement.

That the athletic meet was not held is immaterial. Whether it failed because it would not be a successful venture or because of the opposition to the original scheme proposed by Captain Coates is immaterial. The fact remains that he proposed to his officers and enlisted men to join with him in this scheme and that he actively endeavored to secure their aid and assistance in carrying it through. Such conduct was in my opinion both unarmylike and unofficerlike and unbecoming an officer and a gentleman and fully justified a finding of guilty on both these charges by the Court.

The second specification under the first charge was that the accused stated to the enlisted men of his Company that when they no longer desired him as a Commanding Officer he would resign. To this he pleaded not guilty and the Court found him not guilty.

Sergeant Tremmel testified that at a meeting of the Company about two years ago a resolution was passed requesting that Captain Coates be allowed to remain and that he thanked the Company and said if they deemed it best a hint to resign was enough for him.

This was when Captain Coates' superiors were attempting to force him out. (115.) A petition that he be allowed to remain was circulated and signed by every member. (116.)

Former Sergeant MacFarlane testified that he heard the Captain thank the members for their appreciation and said that he would resign at any time they would require (120), and he corroborates the statement that a petition for the Captain to remain with the Company had been sent to the Colonel of the Regiment. (129.)

The testimony of these witnesses is corroborated by the evidence of Quartermaster Sergeant Wolfe, former Private Mills and former Private Kattrein. Both of the latter testified that the Captain remarked that someone superior to him was trying to get him out and that he did not intend to allow that, but whenever the Company wished him to withdraw he would do so if they asked. (140, 147.)

This occurrence was alleged in the specification to have taken place in March of 1909. The testimony showed that it took place in 1907, in or about the month of March, and by consent the specification was amended on the trial so as to charge that it took place "on or about the month of March, 1907." (166.)

Upon arraignment the accused pleaded not guilty to this specification and not guilty to the charge. He did not interpose any plea of the statute of limitations. At the close of the trial, however, his counsel referred to the statute of limitations and said:

"The only point I wish to call to the attention of the Court is in relation to the charges which are based upon specifications of events occurring in the year 1907." (172.)

And again:

"The objection which the Captain stated when he made his plea to the charges and specification I now bring up in this manner as a matter of defense." (173.)

It is well settled that in criminal trials the Statute of Limitations is a matter of defense and does not affect the jurisdiction of the Court and cannot be availed of by the accused unless he pleads it and brings it to the attention of the Court. (Ex parte Townsend, 133 Fed. Rep. 74; Gormley vs. Bunyan, 138 U. S. 623, 635.)

The proceedings of the Court in this particular are singularly loose and indefinite. The accused undoubtedly intended to avail himself of the Statute of Limitations as a defense to this specification. There is, however, no finding of the Court that it either sustained or overruled this plea but only an acquittal of the accused.

It is because of such action that I have stated the testimony taken. That it makes out the offense cannot be doubted, especially in view of the action taken in G. O. 18, A. G. O. 1887, and G. O. 25, A. G. O. 1887, where an officer and several enlisted men were tried for requesting their captain to resign and such conduct was strongly condemned as was the conduct of the C. O. of the Company who encouraged and permitted his subordinates to ask for his resignation. As the Court acquitted the accused upon the specification no prejudice has resulted to him.

The Court sentenced the accused to be dismissed from the service. This sentence is appropriate to a finding of guilty on a charge of conduct unbecoming an officer and a gentleman. (A. W. 61.)

I recommend that the sentence be approved and that the findings of guilty on the first specification to the first charge, and on the first charge and on the specification to the third charge and on the third charge be severally approved.

I recommend that the findings of not guilty on the second specification to the first charge, and on the first specification to the second charge and on the second charge be severally approved with the added statement that this is done to give effect to the plea of the Statute of Limitations interposed by the accused, and not because the evidence shows his innocence of the matters charged against him.

Respectfully,

(Signed) WILLIAM W. LADD,
Judge Advocate.

and the proceedings, findings and sentence in the case of Captain *William B. Coates*, 10th Infantry, having been forwarded for the action of the Governor, the following are his orders thereon:

Executive Chamber, Albany, May 17, 1910.

The sentence imposed by the general court-martial in the case of Captain *William B. Coates*, 10th Infantry, is approved, and will be duly carried into effect.

CHARLES E. HUGHES.

Captain *William B. Coates*, 10th Infantry, ceases to be an officer of the National Guard from May 17, 1910.

By Command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 17, 1910.

GENERAL ORDERS, }
No. 25.

Before a general court-martial which convened at the armory of the Tenth Infantry, Albany, pursuant to Special Orders No. 103, Headquarters Division, National Guard, March 2, 1910, and of which Colonel Charles H. Hitchcock, First Infantry, was president, and Major George Lawyer, Judge Advocate General's Department, judge advocate, was arraigned and tried—

Captain *Edward Oliver*, 10th Infantry, N. G. N. Y.

Charge I.—“Neglect of duty.”

Specification 1.—“In that Captain Edward Oliver, Company C, Tenth Regiment, Infantry, N. G. N. Y., failed and neglected to make a proper investigation and report of a nuisance alleged to have been committed by Private Reineck, of Company C, on or about the 18th day of March, 1909, in the State Armory in the City of Albany, New York, which investigation and report he was thereafter and on or before the month of March, 1909, directed to make by the Commanding Officer of his Regiment.”

Specification 2.—“In that Captain Edward Oliver, Company C, Tenth Regiment, Infantry, N. G. N. Y., failed and neglected to investigate and report, or to take any action concerning, injuries to property of said company reported to him by Quartermaster-Sergeant Young, of Company C, and alleged to have been committed by Private Degenaar, of Company C, by throwing the base of a trophy and a chair into the fire, in the company room, in the State Armory, in the City of Albany, New York, on or about the month of April or May, 1909.”

Charge II.—“Conduct to the prejudice of good order and military discipline.”

Specification 1.—“In that Captain Edward Oliver, Company C, Tenth Regiment, Infantry, N. G. N. Y., on or about the 30th day of June, 1909, while in camp with his regiment and company, at Crown Point, New York, caused and directed that the sick report of his said company be altered, so that erasures were made and the word ‘duty’ was substituted under the head of ‘Surgeon's Remarks,’ in the case of Private Gus Pfeiffer, of Company C, while the latter was still in confinement.”

To which charges and specifications the accused pleaded as follows:

To the 1st and 2d *Specifications*, 1st Charge, “Not Guilty.”

To the 1st Charge, “Not Guilty.”

To the 1st *Specification*, 2d Charge, “Not Guilty”

To the 2d Charge, “Not Guilty.”

FINDINGS.

- Of the 1st and 2d *Specifications*, 1st Charge, "Not Guilty."
 Of the 1st Charge, "Not Guilty."
 Of the 1st *Specification*, 2d Charge, "Guilty."
 Of the 2d Charge, "Guilty."

SENTENCE.

"To be dismissed from the service."

The sentence having been approved by the convening authority in accordance with the following opinion of the Judge Advocate, Division National Guard:

HEADQUARTERS, DIVISION, NATIONAL GUARD, NEW YORK,

STEWART BUILDING, 280 BROADWAY,

NEW YORK CITY, April 28, 1910.

Adjutant General, Division N. G., N. Y.:

SIR.—I have examined the record of the proceedings of the trial by General Court Martial of Captain Edward Oliver, Co. C, 10th Infantry.

The accused appeared in person and had the assistance of counsel during the trial.

He was arraigned upon two charges, first, "Neglect of Duty," and second, Conduct to the Prejudice of Good Order and Military Discipline."

He pleaded not guilty to all the charges and specifications.

The first specification under the first charge alleged that the accused neglected to make a proper investigation and report of a nuisance alleged to have been committed by Private Reineck in the State Armory on or about March 18, 1909, which investigation he was in March, 1909, directed to make by the C. O. of his Regiment.

Colonel Pruyn for the prosecution testified that he was notified by a letter from the janitor dated March 18, 1909, that Private Reineck had committed the act referred to in the specifications and that Privates Jefferson, Woehrlie, Sparks and others witnessed him do it (36, 37). He directed Captain Oliver to investigate and report (35) and about April 17 the Captain applied for the discharge of Sparks, Woehrlie, Reilly and Mosher. He then told Captain Oliver to follow the matter up, but he never heard anything more about it (37). He is not sure whether he asked a report as to Reineck specially. He made a general request that the Captain investigate those misconducting themselves (49, 50).

The janitor, Hooghkerk, identified his letter of March 18th and testified that Captain Oliver told him that he had questioned Reineck and he thinks he said the latter denied it (67). Jefferson told the witness that Reineck did it and he said he saw him do it. This the witness told Captain Oliver (68, 70).

Captain Reagan, Adjutant of the Regiment, identified his letter of March 31st to the C. O. of Companies B, C and D directing them to investigate the conduct of the members of their commands who had improperly behaved themselves in the armory, to take the necessary proceedings to have them punished and to report the result of their investigation to Headquarters (73). He further testified that the C. O. of Co. B made a report in writing. That Captain Oliver made no formal report, but submitted a letter with his application for the dishonorable discharge of Privates Sparks, Woehrlie, Reilly and Mosher (74). He called Captain Oliver's attention to his failure to make a formal report, but this was before he made the application for the discharge of the men in question (75). This application was accompanied by the statement that it was done in connection with the letter of March 31, 1909, sent by the witness (76).

Captain Oliver testified that he had been in command of the Company to about June 1, 1909, when he was relieved (77); that he was returned to duty just before going to camp and continued on duty until six weeks before the trial when he was relieved from command again (77, 78). He made a thorough investigation as to Reineck but could get no evidence of guilt. He spoke with the janitor, Hooghkerk, and the latter said he had no proof (79). He spoke about this with the Colonel when the application for the discharge of the four men was up and he assumed that that was

all he was called upon to do—all the report he was required to make (80, 81). He spoke not only to Reineck, who denied committing the offense, but he asked other men (87).

Upon this evidence the Court found the accused not guilty on this specification and the charge supported by it.

I am of the opinion that this finding should not be disturbed. The burden of showing neglect of duty was upon the prosecution and this involved proving an intentional neglect of duty by failing to make proper investigation and report as to Private Reineck. The specification goes no further than this particular case. The testimony of the accused that he could find no evidence to proceed against Private Reineck coupled with the fact that he did proceed against other defendants was accepted by the Court as showing his intent to comply with the order and as to the fact that he did not make report as required by the Adjutant's letter the Court had before it the testimony of the accused, which was uncontradicted on this point, that he spoke about the matter to private Reineck to the Colonel at the time when he asked for the discharge of the other men.

The second specification under the first charge alleged that the accused failed and neglected to investigate and report or take any action concerning injuries to property of the Company reported to him by the Quartermaster Sergeant and alleged to have been committed by Private Degenaar by throwing the base of a trophy and a chair into the fire in the Company room in the armory in April, 1909.

Colonel Pruyn testified that he never had any complaint made to him "officially" of this matter (38).

Quartermaster Sergeant Young testified that he reported as to the chair and trophy to Captain Oliver in May, 1909, and the Captain said he would see about it (52). Some time after that Captain Oliver told him that Degenaar was to replace the articles. He recalls speaking three times to Captain Oliver within a short period just before going to camp (54). He could not give the dates of these interviews (55), but he stated that on the first occasion Captain Oliver said he would make Degenaar replace the articles and the second time said he had spoken to Degenaar and that he would replace them (56).

Former Private Woehrk testified that he saw the trophy and chair thrown into the fire; that he asked Captain Oliver why Degenaar was not proceeded against, but he did not remember what the Captain told him (58, 59, 61).

The janitor, Hooghkerk, testified that Captain Oliver told him within two or three days after the base of the trophy was thrown into the fire that he would investigate and straighten it out (71).

Captain Oliver testified that he was told of the occurrences by Hooghkerk and that Degenaar admitted the facts and asked to be allowed to replace the injured articles and he gave him permission to do this and considered the matter closed (82, 83). At this time he was relieved from command (83). He regarded the actions of Degenaar as reprehensible but not as deserving of punishment as he was a man of good character (84). His investigation of the matter ceased when he was relieved from command (93).

Upon this evidence the court found the accused not guilty. Apparently they took the view that the evidence showed that Captain Oliver did investigate into the matters in question and exercised a reasonable discretion when he refrained from punishing Degenaar for his conduct provided he would replace the destroyed articles.

In view of the evidence submitted I do not think that the action of the Court in this particular should be interfered with.

The specifications under the second charge alleged that Captain Oliver while in camp with his Regiment and Company in June, 1909, caused and directed the alteration of the sick report of the Company so that erasures were made and the word "Duty" was substituted under the head of "Surgeon's Remarks," in the case of Private Gus Pfeiffer of his Company while the latter was still in confinement.

Private Gus Pfeiffer testified that the Company started for camp Sunday, June 27th, and that they left Crown Point, July 6th at 7:40 A. M. and arrived home the same day (20, 21). He went to the Hospital Tuesday, the 29th (21), and was sick in quarters two days and during the last one was in arrest also (12, 13, 14, 15, 16, 25).

First Lieutenant Van Der Veer, M. C., testified that he saw Private Pfeiffer in camp and treated him (26). He identified the sick report book for June 29, 1909, and his signature thereon (27). He says it showed alteration—the word now is "Duty" and he thinks it was "Quarters" or "Hospital" (28).

First Sergeant Scheurer testified that he had charge of the sick report book and the report book with the assistance of the Company Clerk, Ettinger (29, 30). That the entries as to Pfeiffer in the sick report book of June 29, 1909, are in Ettinger's handwriting (30). That the entry originally was "Quarters"—it is now "Duty." He says he called Captain Oliver's attention to the fact that Pfeiffer was sick in quarters that day and the Captain said he wanted Pfeiffer to do full duty and to speak to those at the Hospital (31). That he wanted him to appear as doing full duty (32). He called the Captain's attention to the fact of the change in the sick report book (32, 33). He told the Captain that Pfeiffer had gone in on the morning report of that day as sick in quarters and that the books did not jibe (33).

Captain Oliver testified that he remembers Sergeant Scheurer saying that the books did not jibe and that he told him to make them jibe—he does not know whether he is guilty of the charge or not (84). He was not thinking what he did (86). When asked what was the purpose of the change, he makes a long rambling statement (86).

He says he does not remember whether the alteration had been made when the report book was brought to him and he spoke of it not jibing (87). He thinks it was made after the book was brought to him, but does not know (88). The morning report of June 30th was "from 'sick in quarters' to 'duty' Private Pfeiffer." He cannot say whether that was made out before or after the sick report was received (90). He says there was no intent on his part to make a false report or to do Private Pfeiffer any injustice and that he had helped the latter to get work and befriended him (91). He identified his signature in the sick report book to the entries of June 29, 1909 (92).

Upon this evidence the court found the accused guilty upon the specification. This action in my opinion was proper and should be approved. No adequate excuse for Captain Oliver's conduct is offered or presented in the evidence. It was not a matter of oversight. His attention was called to what he was doing and he knew that the entry which he authorized to be made in the sick report book was not the truth.

That the facts show an offense within the charge of "Conduct to the Prejudice of Good Order and Military Discipline" cannot be doubted. Care in the preparation and making of all reports is enjoined upon and required of all officers and they must assume responsibility for such statements as they make over their signatures. An error due to carelessness or oversight is one thing; an incorrect report deliberately made is something entirely different.

The court sentenced the accused to be dismissed from the service.

Accompanying the record of the proceedings is a document signed by all the members of the Court in which they say that, "The court desires to express their sense that the sentence passed is a severe one in view of all the facts and circumstances fairly established by the evidence. The law, however, affords a very narrow range of choice in the matter of punishment and a fine seems inappropriate and a reprimand inadequate to meet the facts in the case. The Court, therefore, fixes upon the more severe penalty and respectfully submits its proceedings with this statement for such action as the reviewing authority may deem appropriate and for the best interests of the service under the circumstances."

The limit of punishment authorized by law is a narrow one and frequently gives embarrassment. That condition, however, must be met both by the Court and the reviewing officer.

A recommendation to mercy is always entitled to consideration but the weight to be given to it depends upon the force of the arguments or the weight of the facts which it presents. The document now presented has been given by me full consideration yet I am of the opinion that the sentence imposed by the Court is a proper one.

Accordingly I recommend that the proceedings, findings and sentence of the Court be approved.

Respectfully,
(Signed)

WM. W. LADD,
Judge Advocate.

and the proceedings, findings and sentence in the case of Captain *Edward Oliver*, Tenth Infantry, having been forwarded for the action of the Governor, the following are his orders thereon:

EXECUTIVE CHAMBER, ALBANY, *May 17, 1910.*

The sentence imposed by the general court-martial in the case of Captain *Edward Oliver*, Tenth Infantry, is approved and will be duly carried into effect.

CHARLES E. HUGHES.

Captain *Edward Oliver*, 10th Infantry, ceases to be an officer of the National Guard from *May 17, 1910.*

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 17, 1910.

GENERAL ORDERS, }
No. 26.

Before a general court-martial which convened at the armory of the Fourteenth Infantry, Brooklyn, pursuant to Special Orders, No. 81, April 18, 1910, The Adjutant-General's Office, and of which Major James M. Andrews, Second Infantry, was president, and Major Louis L. Babcock, Judge Advocate-General's Department, judge-advocate, was arraigned and tried —

Second Lieutenant James Henry Leo Devlin, Fourteenth Infantry.

Charge.—“Conduct to the prejudice of good order and military discipline.”

Specification 1.—“In this, that Second Lieutenant James Henry Leo Devlin, Fourteenth Regiment, Infantry, N. G., N. Y., while on duty with Company L, Fourteenth Regiment, Infantry, N. G., N. Y., at the late field exercises, did, without permission, leave the ranks while the regiment was on the march from Lakeside Park to Eddyville, and did, without permission, return to his home.

“This at or near Rock Station, in the State of Massachusetts, on August 17, 1909.”

Specification 2.—“In this, that Second Lieutenant James Henry Leo Devlin, Fourteenth Regiment, Infantry, N. G., N. Y., while on duty with Company L, Fourteenth Regiment, Infantry, N. G., N. Y., at the late field exercises, did permit several members of Company L, Fourteenth Regiment, Infantry, N. G., N. Y., namely, Bertram Lood, First Sergeant; John C. Hardy, Quartermaster Sergeant; Herbert E. Marshall, Private, and John W. Hardy, Private, to leave the ranks and return to their respective homes without permission, and without protest on his part, and without making any attempt to prevent them from so doing, and without advising them or either of them of the wrongfulness of their act.

“This at or near Rock Station, in the State of Massachusetts, on August 17, 1909.”

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, “Guilty.”

To the 2d *Specification*, “Not guilty.”

To the charge, “Not guilty.”

FINDINGS.

Of the 1st *Specification*, 1st charge, “Guilty.”

Of the 2d *Specification*, 1st charge, “Guilty.”

Of the 1st charge, “Guilty.”

SENTENCE.

"To be dismissed from the service; to be fined one hundred dollars and to be reprimanded."

The proceedings, findings and sentence in the case of Second Lieutenant James Henry Leo Devlin, Fourteenth Infantry, having been forwarded for the action of the Governor, the following are his orders thereon:

EXECUTIVE CHAMBER, ALBANY, *May 17, 1910.*

The sentence imposed by the general court-martial in the case of Second Lieutenant James Henry Leo Devlin, Fourteenth Infantry, is approved, except as herein stated.

The Military Law provides that on conviction of certain offenses "an officer may be sentenced to be dismissed from the service and he shall thereby become incapacitated from holding any military commission, fined to an amount not exceeding one hundred dollars, or reprimanded, or to all or either of such fines and penalties."

Where the offense is of such character as to require a dishonorable discharge, the most serious punishment which under the law can be inflicted upon an officer, the addition of a reprimand and a small pecuniary fine adds nothing of importance to the punishment but rather detracts from the just weight of the dismissal itself.

I, therefore, remit the reprimand and the fine of \$100, but in all other respects the action of the Court is approved and confirmed.

CHARLES E. HUGHES.

Second Lieutenant James Henry Leo Devlin, Fourteenth Infantry, ceases to be an officer of the National Guard from May 17, 1910.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *May 18, 1910.*

GENERAL ORDERS, }
No. 27.

The following extract from General Orders No. 78, War Department, May 2, 1910, publishing an Act of Congress amending the United States Militia Law, is hereby published for the information and guidance of all concerned:

140 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

GENERAL ORDERS, }
No. 78.

WAR DEPARTMENT,

WASHINGTON, May 2, 1910.

EXTRACT.

* * * * *
II. The following act of Congress is published to the Army for the information and guidance of all concerned:

An Act To further amend the Act entitled "An Act to promote the efficiency of the militia, and for other purposes," approved January twenty-first, nineteen hundred and three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section fifteen of the Act entitled "An Act to promote the efficiency of the militia, and for other purposes," approved January twenty-first, nineteen hundred and three, as amended by the Act entitled "An Act to further amend the Act entitled 'An Act to promote the efficiency of the militia, and for other purposes,' approved May twenty-seventh, nineteen hundred and eight," be, and the same is hereby, amended so as to read as follows:

"Sec. 15. That the Secretary of War is authorized to provide for participation by any part of the organized militia of any State, Territory, or the District of Columbia, on the request of the governor of a State or Territory, or the commanding-general of the militia of the District of Columbia, in the encampments, maneuvers, and field instruction of any part of the Regular Army, at or near any military post or camp or lake or sea-coast defenses of the United States. In such case the organized militia so participating shall receive the same pay, subsistence, and transportation as is provided by law for the officers and men of the Regular Army, and no part of the sums appropriated for the support of the Regular Army shall be used to pay any part of the expenses of the organized militia of any State or Territory or the District of Columbia, while engaged in joint encampments, maneuvers, and field instruction of the Regular Army and militia: *Provided,* That the Secretary of War is authorized, under requisition of the governor of a State or Territory or the commanding-general of the militia of the District of Columbia, to pay to the quartermaster-general, or such other officer of the militia as may be duly designated and appointed for the purpose, so much of its allotment, under the annual appropriation authorized by section sixteen hundred and sixty-one, Revised Statutes, as amended, as shall be necessary for the payment, subsistence, transportation, and other expenses of such portion of the organized militia as may engage in encampments, maneuvers, and field instruction with any part of the Regular Army at or near any military post or camp or lake or sea-coast defenses of the United States, and the Secretary of War shall forward to Congress, at each session next after said encampments, a detailed statement of the expense of such encampments and maneuvers: *Provided,* That the command of such military post or camp and the officers and troops of the United States there stationed shall remain with the regular commander of the post without regard to the rank of the commanding or other officers of the militia temporarily so encamped within its limits or in its vicinity: *Provided further,* That except as herein specified the right to command during such joint encampments, maneuvers, and field instruction shall be governed by the rules set out in Articles One hundred and twenty-two and One hundred and twenty-four of the rules and articles for the government of the armies of the United States."

Approved, April 21, 1910.
[1648411, A. G. O.]

BY ORDER OF THE SECRETARY OF WAR:

TASKER H. BLISS,
Brigadier-General Acting Chief of Staff.

OFFICIAL:

HENRY P. MCCAIN,
Adjutant-General.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 25, 1910.

GENERAL ORDERS, }
No. 28. }

Before a general court-martial which convened on board the U. S. S. GRANITE STATE, pursuant to Special Orders No. 31, The Adjutant-General's Office, February 17, 1910, and of which Lieutenant Commander RUSSELL RAYNOE, 1st Battalion, Naval Militia, was president, and Lieutenant Commander JOHN B. AGAR, Paymaster, Naval Militia, judge advocate, was arraigned and tried —

Lieutenant *Walter R. Griffith*, 2nd Battalion, Naval Militia.

CHARGE: "Drunkenness on duty."

Specification. "In that Lieutenant *Walter R. Griffith*, 2nd Battalion, Naval Militia, New York, being on duty in command of a guard on board the steamer ROBERT FULTON, was found drunk; this at or near the city of New York in the State of New York, on the first day of October, 1909."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the Charge, "Guilty."

FINDINGS.

Of the *Specification*, "Guilty."

Of the Charge, "Guilty."

SENTENCE.

"To be dismissed from the service"

The court made the following recommendation to clemency:

The Court recommends the accused to clemency —

1. Because of his excellent record as indicated by performing 100 per cent. of duty for thirteen years consecutively in the Naval Militia, State of New York;
2. Because of his long and faithful service in the Naval Militia and of his service in the United States Navy during the Spanish-American War;
3. Because of the high standing of the division of the 2nd Battalion, Naval Militia, N. Y., under his command;
4. Because the substantial part of the duty ordered to be performed on the first day of October, 1909, had been performed before the offense was committed;
5. Because the offense on which the accused was tried occurred at the very end of two days of arduous service.

The Court regrets that there is no adequate intermediate punish-

ment between a reprimand and the dismissal from the service to which the accused has been sentenced.

(Signed)

KINGSLEY L. MARTIN,
Navigating Lieutenant, 2nd Battalion, N. M., N. Y.

EDWARD N. WALBRIDGE,
Lieutenant Commander, 3rd Battalion, N. M., N. Y.

GERARD B. TOWNSEND,
Lieutenant Commander, N. M., N. Y.

I recommend the accused to clemency for the reasons stated in paragraphs 1, 2 and 3, and I except to the recommendations contained in paragraphs 4 and 5.

(Signed)

RUSSELL RAYNOR,
Lieutenant Commander, 1st Battalion, N. M., N. Y.

STARR TAINTOR,
Navigating Lieutenant, 1st Battalion, N. M., N. Y."

The proceedings, findings and sentence of the general court-martial in the case of Lieutenant *Walter R. Griffith*, 2nd Battalion, Naval Militia, and the recommendation to clemency, having been submitted for the action of the Governor, the following are his orders thereon:

EXECUTIVE CHAMBER,

ALBANY, *May 25, 1910.*

The sentence imposed by the general court-martial in the case of Lieutenant *Walter R. Griffith*, 2nd Battalion, Naval Militia, is approved, but in view of the previous record of the accused and the recommendation for clemency made by the court, is commuted to a fine of one hundred dollars, and a reprimand.

CHARLES E. HUGHES.

The Commodore commanding the Naval Militia is hereby directed to carry the sentence as commuted into effect.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, May 27, 1910.

GENERAL ORDERS, }
No. 29. }

The organizations mentioned below are designated to perform a tour of duty on vessels of the United States Navy, to be assigned for that purpose by the Secretary of the Navy:

Headquarters, Naval Militia.
First Battalion, Naval Militia.
Second Battalion, Naval Militia.
Third Battalion, Naval Militia.

The Commanding Officer, Naval Militia, is directed to issue such orders as may be necessary to carry out the provisions of Circular Letter, No. 2, Navy Department, Washington, D. C., January 17, 1910, in accordance with the provisions of the Military Law and subsequent instructions from the Navy Department given to him through this office by the Assistant Secretary of the Navy.

The organizations above designated will, in accordance with Circular Letter No. 2, Navy Department, par. 1, perform such service July 23rd to August 1st, inclusive, provided that available means for the expense of this service are at the disposal of The Adjutant-General of the State.

Relative to the payment of organizations for this service, attention is called to General Orders No. 36, May 24, 1909.

To cover the expenses of subsistence, an amount not to exceed 40 cents per day will be allowed for each officer and enlisted man on duty with his organization.

By Command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General,

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *May 27, 1910.*GENERAL ORDERS, }
No. 30. }

Upon recommendation of the Major-General commanding, the following regulations affecting the Coast Artillery Corps are published for the information and guidance of all concerned:

I. The Chief of Coast Artillery shall have supervision over the supply, maintenance and accountability for all coast artillery material and property. He shall have supervision and direction over the military instruction of commissioned officers and enlisted men. He shall appoint and at pleasure remove the militia members of all boards of examination whose membership includes militia officers and officers of the Army of the United States. He shall consult directly with the Commanding General, Department of the East or with the commanding officers of the Eastern and Southern Artillery Districts of New York, United States Army, upon all matters concerning the instruction and examinations herein provided for. After such consultation he shall order all schools for instruction and shall fix the time for all examinations held to determine the proficiency of commissioned officers and rating of enlisted men.

II. All commissioned officers of the Coast Artillery Corps below the grade of brigadier-general, shall attend such schools of instruction as are ordered by the Chief of Coast Artillery, the course of instruction to conform to orders and circulars issued by the War Department. At the termination of each school year all such officers shall be subjected to a written examination, to be held by the board authorized in the following paragraph.

All officers passing a satisfactory examination upon the entire course prescribed by the War Department will be entitled to receive a suitable diploma of proficiency as provided in the following section. All officers who shall fail to pass a satisfactory examination for two successive years shall be reported by the Chief of Coast Artillery to The Adjutant-General of the State for examination as to their capacity and general fitness for the service, as prescribed in section 83 of the Military Law.

III. The examining board referred to in the preceding paragraph shall consist of two officers of the Coast Artillery Corps of the State of New York appointed by the Chief of Coast Artillery and two officers of the Coast Artillery Corps, United States Army, to be detailed by the proper authorities upon the request of the Chief of Coast Artillery. The scope of such examination shall be as prescribed by the War Department. Upon the completion of such examination the said board shall examine the papers, mark thereon the percentage of each officer, and transmit the same to the Chief of Coast Artillery who shall keep a record in his office of the percentage of all officers. The Chief of Coast Artillery shall forward all such examination papers so marked to the Chief of Coast Artillery, United States Army, who pursuant to orders

of the War Department will cause suitable certificates or diplomas of proficiency to be prepared and issued through the channel to such officers as have attained a percentage of at least 75 upon the entire prescribed course of instruction.

IV. Master Electricians, Engineers, Electrician Sergeants, first class, Master Gunners, Electrician Sergeants, second class, Firemen and Sergeants Major, Senior and Junior Grade shall be warranted by the Chief of Coast Artillery after examination by a board appointed by him, to consist of two officers of the Coast Artillery Corps of the State of New York.

The Board shall sit and conduct such examinations in conjunction with a similar board appointed by the authorities of the United States Army and the scope of such examination shall be as prescribed by the War Department. Nominations for the above expert grades shall be made by District Commanders to the Chief of Coast Artillery, who shall request the appointment of the board of Army Officers to collaborate with the examining board to be appointed by him. He shall fix the time and place for holding such examinations. Said examinations shall be both written and practical, and candidates shall be required to demonstrate their familiarity with the use of the various tools, appliances, instruments, and installations pertaining to their grade.

Upon the completion of such examinations, written examination papers with the percentage of each candidate marked thereon shall be forwarded to the Chief of Coast Artillery, and such candidates as have received a percentage of not less than 75 may be warranted by the Chief of Coast Artillery.

The Chief of Coast Artillery shall keep in his office a list showing the percentages of all candidates examined, and shall certify the names of all men warranted by him in Artillery Expert Grades after the prescribed examinations, to the commanding officer of the Artillery District of the United States Army to which the organization of the successful candidates is permanently assigned.

V. Candidates for rating as Gun Pointers, Observers, Gun Commanders, Pit Commanders, Plotters and Gunners shall be reported by District Commanders to the Chief of Coast Artillery, who shall cause said candidates to be examined by a joint board of two militia officers, appointed by him, and of officers of the United States Army appointed by proper authority. The provisions of Drill Regulations, Coast Artillery, United States Army shall govern said examinations where not inconsistent with these regulations. The Chief of Coast Artillery shall report to the various district commanders the names of all men who have satisfactorily passed said examinations for rating and he shall keep on file in his office a list of all such rated men.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, June 1, 1910.

GENERAL ORDERS, }
No. 31. }

The following executive order is published for the information of all concerned:

EXECUTIVE CHAMBER,

ALBANY, June 1, 1910.

The appointment of William Verbeck to be The Adjutant-General of the State, of the grade of Brigadier-General, vice Brigadier-General Nelson H. Henry, retired, is hereby announced.

CHARLES E. HUGHES,

By Command of the Governor:

WILLIAM VERBECK,

The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, June 2, 1910.

GENERAL ORDERS, }
No. 32. }

I. General Orders No. 36, Adjutant-General's Office, May 24, 1909, are hereby revoked.

II. The following regulations relating to the preparation of payrolls and the payment of troops are published for the information and guidance of all concerned:

PAYROLLS.

1. Each officer and enlisted man of the National Guard, ordered for duty by the Governor, or under his authority by the Major-General, shall receive the pay set forth in M. L. 210. If such officer or enlisted man be on special duty, that is not serving as part of, or with an organization, his claim for pay is made as prescribed in sections 18 to 23, inclusive, General Orders No. 11, Adjutant-General's Office, September 25, 1901; otherwise his name appears in a voucher covering all the members of the organization he is serving with: this voucher is known as a "Payroll." (War Department "Form 3, Militia.")

2. When occasion arises for the use of payrolls they will be prepared, as far as can be, before the organization enters on the duty for which payment is to be made. When service is in aid of the

civil authority they will be prepared as provided in paragraph 22 hereof, one copy for the records of the organization and in addition such copies as may be required by the official making the payment. When part of the payment is to be made by the United States from funds other than those appropriated under section 1661, Revised Statutes, as amended, by United States Army paymaster, separate rolls will be prepared on forms as required by him and in addition two rolls (War Department "Form 3, Militia") for the state paymaster and one for the records of the organization. When United States as well as state payments are to be made by the state paymaster three copies will be required by him, and in addition one copy for the records of the organization.

3. Separate rolls will be made for the field, staff and non-commissioned staff; for officers and men of the medical department attached to a regiment, battalion or unit corresponding thereto; for the band; and for each company, battery, troop, company of signal corps and field hospital. Each roll will include all the officers and enlisted men of the organization, together with those attached to it under proper authority and civilian employees for whom pay is authorized. Appropriate note quoting authority should be made in column 5, explaining service of all not members of the organization.

4. The brief (except the organization on line 1), matter in the heading of pages 2 and 3, column of "total days" and columns 6, 7 and 8 will be left blank to be filled in by the paymaster. The use of dots or the word "ditto" is prohibited.

5. The first column on the left of the left hand page of an open payroll gives running numbers commencing with one; on the left of the next to the last column of the right hand page, is a column containing like numbers; by means of these numbers the placing of the signatures on the line corresponding with the name is facilitated.

6. The next column on the left page is for names. The names of all the members of the organization will appear in this column, consecutively, in the order of grade and in the order of rank in each grade, except that chief mechanics, cooks (enlisted), mechanics, farriers and blacksmiths, artificers, saddlers, wagoners, musicians and trumpeters will appear in that order, and in each grade, in the order of date of appointment; and first-class privates, followed by privates, alphabetically. The first christian name of officers, non-commissioned officers, chief mechanics, cooks (enlisted), mechanics, farriers and blacksmiths, artificers, saddlers, wagoners, musicians and trumpeters will be entered first in full followed by initial of middle name, if any, and surname. First-class privates, followed by privates, will be entered, surname first, followed by christian or given name in full and initial of middle name, if any. Names of officers and enlisted men not members of the organization, but attached and serving with it, and civilian cooks, if any, will appear at the end of the roll; names of attached officers and men should be in red ink, if such ink is available.

7. The next column to the right on the roll is for the grade of officers and enlisted men (the *office* as well as the grade of staff officers should be shown), which requires no further explanation (it being

borne in mind that this column is for the actual grade, not the grade in which the man is temporarily acting), except that should there be any change in the grade during the life of the payroll, the new and old grade will be given (as for instance, by promotion or reduction), the former below the latter, and appropriate note showing date of change made in column 5, for remarks.

8. In the next column to the right is entered date of rank of officers; and of enlisted men, the date of the commencement of the enlistment they are then serving. The names, grades and the dates of enlistment or of rank will, when practicable, be entered on the payroll before leaving the home station.

9. Columns for the dates of the days for which pay is due then follow; opposite the name of a person entitled to pay for a certain date there is entered in the column of that date the numeral "1"; if the person be not entitled to pay for that date there will be entered in this column the letter "A"; these entries should be made each day immediately after retreat.

10. Pay is due "for every day actually on duty;" for service in camps of instruction this has been construed as follows:

a: All officers and enlisted men on pay duty receive pay for each day on which they have performed the duties prescribed for them for such day, unless officially recognized illness prevented the performance of all or any of these duties by them, and as further described in subdivisions b, c, d and e;

b: An officer or enlisted man who leaves his home station with, or before retreat of that day joins, his organization, is entitled to pay for that day;

c: An officer or enlisted man who joins his organization at any time before guard mounting, or 8:30 o'clock in the morning, if guard mounting be after that hour, is entitled to pay for that day;

d: An officer or enlisted man who leaves his organization after retreat with proper authority is entitled to pay for that day;

e: An officer or enlisted man who returns with his command to his home station is entitled to pay for that day;

f: An officer or enlisted man who joins his organization subsequent to guard mounting, or 8:30 o'clock in the morning, if guard mounting be after that hour, is not entitled to pay for that day;

g: An officer or enlisted man who leaves his organization before retreat is not entitled to pay for that day;

h: Officers or enlisted men absent with or without leave from any ordered duty are not entitled to pay for the day on which they are so absent, except as provided in subdivisions a, b, c and d, or except while absent in the performance of some special duty pertaining to the command which is authorized by competent authority.

11. The Military Law, sec. 210, provides that a non-commissioned officer performing the duties of a grade higher than his own shall receive the pay of such higher grade, and that a private acting as a non-commissioned officer shall receive the pay of the grade in which he is acting. Sections 30-38, Military Law, and General Orders No. 20, April 6, 1908; No. 69, December 30, 1908; No. 33, May 20, 1909;

No. 35, May 24, 1909; No. 70, December 24, 1909; No. 8, March 4, 1910; No. 10, March 14, 1910; and No. 19, April 30, 1910, the Adjutant-General's office, thereunder, fix the number of officers and enlisted men in each grade, for all organizations of the National Guard. Pay will not be allowed to non-commissioned officers or acting non-commissioned officers in excess of those provided for therein; for instance, the organization having all the non-commissioned officers provided for in each grade present, no acting non-commissioned officers can be carried or paid as such; if, however, one or more non-commissioned officers are absent, other privates or non-commissioned officers, junior to them, may act in their stead, and any vacancies so created may again be similarly filled; all of whom will receive the pay of the grade in which acting; appropriate note being made in column 5 for remarks. The law does not contemplate extra pay for privates or non-commissioned officers acting as chief mechanics, cooks (enlisted), mechanics, farriers and blacksmiths, artificers, saddlers, wagoners, musicians, trumpeters or enlisted men of these grades acting as non-commissioned officers. Commanding officers have authority to appoint men to these grades or reduce them to grade of private, and advantage should be taken thereof and appointments regularly made if it is desired to give increased pay while performing duties for which additional pay is provided.

12. The columns for the dates of the days for which pay is due are followed by a column "total days" which column is filled in by the paymaster.

13. The next column (4) to the right is headed "No. of years served, if entitled to State service pay" and will be filled in simply with numerals 5, 10, etc., where appropriate; it is only necessary to show that the officer or man has served a period of five years or a period which is a multiple thereof, and no other figures will be used.

14. Then follows a column for remarks which affect the pay, for instance, in case of changes during the life of the payroll, private (to such date), corporal (from such date, quoting authority), or reduced from sergeant to private (such date, quoting authority). An official copy of all orders quoted will be filed with the payroll. In this column should be noted after the names of all men enlisted within a period of three months preceding the first day for which pay is claimed, a brief record of previous service, if any, in the United States Army, Marine Corps, Organized militia, or any educational institution where military instruction is given. See Militia Regulations, War Department, section 185, as amended in Circular 2, D. M. A. 1910, published in Circular 17, A. G. O. 1910.

15. Where any stoppage or deduction is to be made against the pay of an officer or enlisted man for fines as provided in M. L. 142 as amended, notation will be made in column 5 as follows: "Fined by Delinquency Court (or Summary Court) \$..... payable to" and the officer taking payment of such fines shall receipt for same on the line next succeeding the last name on the roll, opposite his own name and grade; appropriate explanatory remarks appearing in columns 3, 4 and 5.

16. To the right then come in order the columns headed (6) "State pay;" (7) "United States pay;" (8) "Amount paid," all of which columns will be left blank. They will be filled in by the paymaster (for exception, see section 22 hereof).

17. Then comes the column for the acknowledgment of payment. The last remark in heading is to be disregarded where part of payment is to be made from state funds (see remarks, upper right hand corner of page 3 of payroll). The signatures required here will, if practicable, be obtained before leaving the home station, at any rate they must be obtained at the first opportunity. Payment will not be made unless receipt is furnished on the payroll. Officers or non-commissioned officers will sign as their names appear on the payroll; for instance, in the column "names" appears the name of an officer or non-commissioned officer (for example), John M. Harris, the receipt must be written in the same way, not J. MacD. Harris; in the case of a private the name appears as (for example), Blackburn, David N.—the receipt must read David N. Blackburn, not D. N. Blackburn or Blackburn, D. N., etc. If for some temporary reason a man shall not be able to sign his name he will make his mark which will be witnessed by a commissioned officer. The officer witnessing a man's mark will write his name, grade and organization in the last column to the right, headed (9) "Witness to signature made by mark," which column will be used for this purpose only.

18. On the last page of the blank form there is an affidavit to be signed and sworn to by the officer commanding the detachment, company, etc., or the adjutant or adjutant-general of the organization. This affidavit, if not in accordance with the facts, will be suitably altered and authenticated in the margin by initial of officer making oath; for instance, if there are any stoppages against the pay of any officer or man under the provisions of section 142, Military Law, there will be added to printed affidavit the following: "I further certify that all stoppages noted herein are in accordance with law." If civilian cooks are to be paid, interline after "organization" in second line "or civilian cooks". The affidavit is executed before the disbursing officer. In cases where the payroll is to be forwarded for payment for service in aid of the civil authority, the affidavit may be executed before a civil officer authorized by law to administer oaths. Following the affidavit is a form of approval which will be executed by the commanding officer.

19. At camps of instruction and wherever it can be done, the payroll, properly credited with service to date is sent in every morning with the morning report. On the morning of the day before the termination of service, it becomes necessary to enable the paymaster to pay on the last day of service for the responsible officer to ascertain possible changes in his organization, and to credit service accordingly for these two days; attach his own signature and to procure that of his commanding officer; and before noon to hand the payroll to the regimental adjutant, who will send all the payrolls of the organization to the paymaster by noon at the latest. Owing to exigencies of the service more time may be required by the paymaster and officers should be guided by his desires in the matter.

20. The officer executing the affidavit on the payroll is responsible for its accuracy as to officers, enlisted men and attached officers and enlisted men appearing thereon, the number of days for which pay is credited to each person, and any remarks made affecting pay. The paymaster is responsible that each person receive such pay as the law authorizes.

21. When troops of the state participate with the regular army in coast defense exercises or maneuver camps two sets of rolls may be required. One set in duplicate on forms furnished by the War Department for pay due from the United States, and one set in triplicate on form 3, Militia, prepared in manner prescribed herein, for state pay, being difference between army and state rate. A certified copy of the army payroll will be required to show actual payment to each officer and man by the United States, that proper deduction may be made on state payrolls.

22. In case an organization is to receive pay for duty in aid of the civil authority (M. L. 211) the payrolls will be made out as directed in the preceding paragraphs and in addition the columns (6) "State rate" and (8) "Amount paid" will be filled in. Column (7) "United States pay" will be disregarded. The amounts entered in column (6) will be in accordance with the rate of pay for each officer and man as fixed by M. L. 210. The amounts entered in column (8) will be the amount due and to be paid to the respective officers and men and are obtained by multiplying the pay per day by the number of days for which pay is due. The figures in column (8) are then added up and the footing carried forward so that at the end of the names will be found the total amount of pay of the organization.

PAYMENT.

23. If payment be made by check, the paymaster may deliver the checks to the commanding officer of the organization or subdivision, provided the payrolls are properly sworn to, in which case the commanding officer will deliver the checks to those for whom they have been drawn as promptly as practicable. If payment be made in currency the officer who executes the affidavit on the payroll will attend at the pay table and witness the payment.

III. Subdivisions 4 to 9, 11 to 14 (excepting such part of latter as refers to enlistments within three months preceding first day of service), 15 to 18, all inclusive, and 20 and 23 of paragraph II hereof, will govern the preparation of payrolls in the Naval Militia, substituting corresponding naval grades and ratings for those employed; the provisions of all other paragraphs will govern where applicable. Circular 20, A. G. O., March 16, 1910, defines sea and shore duty, officers will be paid accordingly.

By command of the Governor,

WILLIAM VERBECK,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

152 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, June 14, 1910.

GENERAL ORDERS, }
No. 33. }

The officers of the Third Brigade and such departmental staff officers as are detailed therewith together with one company of infantry, and the post non-commissioned staff officers attached to the headquarters of the Brigade are hereby designated to perform a tour of field service from July 2nd to 7th inclusive, at a camp of instruction along the lines recommended by General Orders, No. 4, War Department, 1910. The Commanding Officer, Division National Guard, will issue such orders as may be necessary to carry the foregoing into effect.

By Command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, July 1, 1910.

GENERAL ORDERS, }
No. 34. }

The following changes have occurred in the National Guard and Naval Militia of this State since April 30, 1910:

NATIONAL GUARD.

APPOINTMENTS.

Inspector-General's Department.

Edward Blair Bruch, inspector-general of the grade of lieutenant-colonel, with rank from May 11, 1910.

Medical Corps.

William Francis Campbell, major, with rank from April 30, 1910.
Samuel McCullagh, first lieutenant, with rank from April 29, 1910.
John Adam Quell, first lieutenant, with rank from April 29, 1910.
Don Melville Hooks, first lieutenant, with rank from May 27, 1910.

Corps of Engineers.

Edward Fowler MacGrotty, major, with rank from May 20, 1910.

Signal Corps.

Herbert Weir, captain, with rank from May 9, 1910.

CAVALRY.

Squadron A.

Frank Roosevelt Outerbridge, captain, with rank from May 6, 1910.
Albert William Putnam, first lieutenant, with rank from May 31, 1910.

Squadron C.

George Frederic Alpers, second lieutenant, with rank from May 6, 1910.

FIELD ARTILLERY.

Sixth Battery.

John Thomas Shinnars, first lieutenant, with rank from May 25, 1910.
Charles Gray Blakeslee, second lieutenant, with rank from May 25, 1910.

INFANTRY.

First Regiment.

Marcus Herrick Rice, major, with rank from May 31, 1910.
James William Shearer, captain, with rank from June 17, 1910.
Jesse Alvro Millard, first lieutenant, with rank from May 20, 1910.

Second Regiment.

Charles Truman Reynolds, first lieutenant, with rank from May 27, 1910.

Third Regiment.

Fred Watson Plank, first lieutenant, with rank from May 10, 1910.
Albert Manly Barager, second lieutenant, with rank from April 25, 1910.
William Henry Brodeur, second lieutenant, with rank from May 10, 1910.

Seventh Regiment.

Louis Charles Raecke, second lieutenant, with rank from June 1, 1910.
Alfred Leonard Golsh, second lieutenant, with rank from June 8, 1910.

Tenth Regiment.

Asahel Griffin Harvey, captain, with rank from May 6, 1910.

Twelfth Regiment.

Searle Barclay Lottimer, first lieutenant, with rank from May 10, 1910.
James Stacey Slosson, first lieutenant, with rank from June 8, 1910.
Amedee Spadone, second lieutenant, with rank from May 10, 1910.
Romie Benvenuto Cellini Kuehns, second lieutenant, with rank from May 18, 1910.

154 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Fourteenth Regiment.

Oscar Carlson, second lieutenant, with rank from April 21, 1910.

Twenty-third Regiment.

Willard Conklin Penton, second lieutenant, with rank from April 21, 1910.

Everett Stanton, second lieutenant, with rank from May 5, 1910.

Forty-seventh Regiment.

Percival St. George Townshend, second lieutenant, with rank from May 11, 1910.

Sixty-ninth Regiment.

Louis Daniel Conley, colonel, with rank from May 7, 1910.

John Patrick Hurley, second lieutenant, with rank from May 18, 1910.

Michael Tuohey, second lieutenant, with rank from June 1, 1910.

Andrew Joseph Tarpey, second lieutenant, with rank from June 8, 1910.

Seventy-first Regiment.

Edward James Flack, major, with rank from May 23, 1910.

Sanford Edward Smith, second lieutenant, with rank from May 18, 1910.

Seventy-fourth Regiment.

James Craig Roberts, second lieutenant, with rank from April 25, 1910.

COAST ARTILLERY CORPS.

Eighth Artillery District.

Arthur Mortimer Day, captain, with rank from May 2, 1910.

Charles Shed Clifford, first lieutenant, with rank from July 10, 1908.

James Winthrop Thomas, first lieutenant, with rank from May 25, 1910.

John Thomas Daly, second lieutenant, with rank from May 25, 1910.

James Stanley Frazer, second lieutenant, with rank from June 8, 1910.

Ninth Artillery District.

Charles Whytlaw Osborn, captain, with rank from May 20, 1910.

William Andrew Hayes, first lieutenant, with rank from May 16, 1910.

Francis Cornelius Murphy, first lieutenant, with rank from May 16, 1910.

Harrison Brummell Arnold, first lieutenant, with rank from May 25, 1910.

George William Steele, first lieutenant, with rank from June 1, 1910.

Harry William Thompson, second lieutenant, with rank from May 25, 1910.

Lester Roberts Walton, second lieutenant, with rank from May 25, 1910.

Colin Campbell Simpson, Jr., second lieutenant, with rank from June 1, 1910.

William Russell Robinson, second lieutenant, with rank from June 1, 1910.

Charles Patrick McKenna, second lieutenant, with rank from June 3, 1910.

Eugene Elliott Dressner, second lieutenant, with rank from June 3, 1910.

Harry Telemach Herring, second lieutenant, with rank from June 3, 1910.

William Gerald Coats, second lieutenant, with rank from June 8, 1910.

William Rutherford Wallace, second lieutenant, with rank from June 8, 1910.

Charles Augustus Austen, second lieutenant, with rank from June 8, 1910.

Thirteenth Artillery District.

Alfred Cutler Barnes McNevin, first lieutenant, with rank from May 16, 1910.

Robert Starr Allyn, first lieutenant, with rank from May 25, 1910.

Raymond McLeer, second lieutenant, with rank from May 16, 1910.

BREVETS.

Captain Henry Herbert Royce, coast artillery corps, major by brevet in the National Guard, for meritorious service of more than twenty-five years, with rank from June 1, 1910.

First Lieutenant Thurber Arnold Brown, ordnance department, captain by brevet in the National Guard, for meritorious service of more than twenty-five years, with rank from May 13, 1910.

Second Lieutenant Major Ambrose White, 7th infantry, first lieutenant by brevet in the National Guard, for previous service in the active militia as first lieutenant, with rank from May 13, 1910.

Quartermaster Sergeant James Mazza, company H, 12th infantry, second lieutenant by brevet in the National Guard, for faithful service of more than twenty-five years, with rank from June 1, 1910.

Sergeant Anthony B. Van Heusen, company B, 12th infantry, second lieutenant by brevet in the National Guard, for faithful service of more than twenty-five years, with rank from June 1, 1910.

Quartermaster Sergeant Patrick McDowell, company A, 69th infantry, second lieutenant by brevet in the National Guard, for faithful service of more than twenty-five years, with rank from June 24, 1910.

RETIRED.

Brigadier General Nelson Herrick Henry, The Adjutant General of the State, May 31, 1910.

Colonel John Isaac Pruyn, 10th infantry, June 24, 1910.

Captain Henry Herbert Royce, coast artillery corps, June 1, 1910.

First Lieutenant John List, 71st infantry, June 7, 1910.

First Lieutenant Christopher Gresham, 10th infantry, June 17, 1910.

Brevet Second Lieutenant James Mazza, late quartermaster sergeant, company H, 12th infantry, June 1, 1910.

Brevet Second Lieutenant Anthony B. Van Heusen, late sergeant, company B, 12th infantry, June 1, 1910.

Brevet Second Lieutenant Patrick McDowell, late quartermaster sergeant, company A, 69th infantry, June 24, 1910.

TRANSFERRED.

First Lieutenant Edward Holbrook Wilkinson, coast artillery corps, from duty with the 32nd company to the unassigned list, for staff duty at the headquarters, 8th artillery district, May 11, 1910.

Second Lieutenant John Van Buren Mitchell, coast artillery corps, from duty with the 16th company, to the unassigned list for staff duty at the headquarters, 9th artillery district.

CASUALTIES.

Full and Honorable Discharge.

Major Daniel James Murphy, corps of engineers, May 5, 1910.

Captain William Clifton Hanton, 47th infantry, May 5, 1910.

Captain Harold Edward Kenyon, coast artillery corps, May 12, 1910.

Captain Edward Ernest Horrocks, 14th infantry, May 13, 1910.

Captain Charles Willis Yeomans, 1st infantry, May 13, 1910.

Captain Charles Morgan Reid, coast artillery corps, May 18, 1910.

First Lieutenant Arthur Mower Wright, 1st infantry, May 12, 1910.

First Lieutenant Theodore William Budelman, coast artillery corps, June 13, 1910.

First Lieutenant William Francisco Wall, 7th infantry, June 16, 1910.

Honorable Discharge.

Major William Augustus Downes, medical corps, May 24, 1910.

Captain Howard Chapin Hanscom, medical corps, May 24, 1910.

Second Lieutenant James Stacey Slosson, 3rd infantry, May 24, 1910.

Second Lieutenant David Randolph Cook, 71st infantry, June 24, 1910.

Second Lieutenant Theodore Hackett Ward, 12th infantry, June 24, 1910.

Dismissed, Sentence of General Court Martial.

Captain William Benjamin Coates, 10th infantry, May 17, 1910.

Captain Edward Oliver, 10th infantry, May 17, 1910.

Second Lieutenant James Henry Leo Devlin, 14th infantry, May 17, 1910.

Died.

First Lieutenant Harvey Lyman Dwight, retired, May 7, 1910.

NAVAL MILITIA.

APPOINTMENTS.

First Battalion.

Charles Longstreet Poor, lieutenant commander as executive officer, with rank from June 13, 1910.

Lincoln DeGroot Moss, lieutenant, with rank from April 21, 1910.

Walter Bensel, surgeon, of the grade of lieutenant, with rank from April 21, 1910.

Lemuel Edson Raff, lieutenant, junior grade, with rank from April 21, 1910.

Cleaveland Cady Kimball, assistant surgeon of the grade of lieutenant, junior grade, with rank from April 21, 1910.

Loring Washburn, ensign, with rank from April 21, 1910.

Henry Stevenson Washburn, ensign, with rank from June 13, 1910.

Second Battalion.

Kingsley Leverich Martin, lieutenant commander as executive officer, with rank from May 27, 1910.

Jasper Thomas Kane, lieutenant as engineer officer, June 13, 1910.

Third Battalion.

Thomas William Harris, lieutenant, with rank from May 31, 1910.

Alfred Smith Reynolds, ensign, with rank from May 4, 1910.

Stephen Joseph O'Neill, ensign, with rank from May 4, 1910.

CASUALTY.

Full and Honorable Discharge.

Lieutenant Commander William Griffing Ford, executive officer, 2nd battalion, May 12, 1910.

By command of the Governor:

WILLIAM VERBECK,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, July 1, 1910.

GENERAL ORDERS, }
 No. 35. }

I. Such organizations of the National Guard as are not designated in General Orders, Nos. 4, 23, and 33, from this office for field or camp service are hereby excused from such service for this season.

II. Brigadier-General William Verbeck, The Adjutant-General of the State, having been designated Disbursing Officer, is authorized to participate in the field or camp service of the National Guard during the coming season. He is authorized to spend such additional number of days in advance of or subsequent to the periods of encampment as are

158 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

necessarily required for the proper performance of his duties as Disbursing Officer.

The Disbursing Officer is also authorized to be accompanied upon such field or camp service by such officers connected with The Adjutant-General's Office, and such clerical force as may be deemed necessary by The Adjutant-General, to promptly and efficiently make disbursements covering the pay, subsistence and transportation of the troops and to account for the same.

Pay, subsistence, transportation and such medical attendance as may be required are authorized for the Disbursing Officer and for the officers and clerical force accompanying him.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, July 19, 1910.

GENERAL ORDERS, }
No. 36.

Colonel Charles H. Hitchcock, 1st Infantry, N. G., N. Y., is hereby appointed a member of the Militia Council to serve for three years from June 27, 1910, vice Major Frederick A. Wells, 23d Infantry, N. G., N. Y., whose detail expired on that date.

By Command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *July 21, 1910.*GENERAL ORDERS, }
No. 37.

The Adjutant-General of the State will issue to all members of the National Guard and Naval Militia who shall hereafter be awarded the State Decoration for Long and Faithful Service, a certificate of such award.

The provisions of this order shall not apply to decorations awarded prior to the date hereof.

By Command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *October 1, 1910.*GENERAL ORDERS, }
No. 38.

The accompanying tables of Quartermaster and Ordnance stores, showing the prices of clothing for the National Guard of this State; the prices at which obsolete clothing will be charged in case of loss, damage or otherwise; the prices at which articles of equipage will be charged in case of loss, damage or otherwise; and the prices of U. S. ordnance stores issued to the National Guard of this State, are published for the information and guidance of all concerned, to take effect at this date and to remain in force until further orders.

The nomenclature adopted in these tables describing the various articles will be used in making transfers and inventories of them and for all other accounting purposes.

Only such of the articles on these tables as are indicated as expendable will be dropped from returns and property papers as expended and these articles will not be dropped unless they have been actually expended or consumed for the purpose authorized. Other articles on these tables must be placed before Boards of Survey, Surveying Officers or Inspecting Officers as provided in Regulations.

Purchases for cash by organizations from the War Department (through The Adjutant-General of the State), to replace articles of

160 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

United States issue lost, destroyed, etc., shall have added to the prices given in these tables, the cost of packing as determined by the U. S. depot, arsenal, etc., from which shipped.

By Command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

QUARTERMASTER STORES.
PRICE LIST OF CLOTHING.

ARTICLES.	Price, U. S. issue.	Price, State issue.
Badges for campaign hats for field service.....	\$0 07	.....
Blankets, woolen, olive drab, each.....	4 29	.....
Blankets, woolen, gray, each*.....	3 49	\$3 84
Breeches, dress, riding, old pattern, per pair*.....		4 70
Breeches, service:		
Cotton, khaki (foot or mounted), per pair.....	1 37	.....
Olive drab, woolen (foot or mounted), per pair.....	3 18	.....
Olive drab, woolen (foot).....		3 75
Olive drab, woolen (mounted).....		4 25
Buttons, collar:		
Bronze (all arms), each.....	3	.....
Bronze letters, " N. Y." each.....		5
Bronze, 2 figures, each.....		7
Bronze, 3 figures, each.....		8
Bronze, 4 figures, each.....		9
Caps:		
Dress, including bands (all arms), each.....	96	1 30
Khaki, service, each.....	75	.....
Olive drab, service, each.....	71	1 09
Cap bands, extra, each.....	18	.....
Chevrons:		
Dress (all arms and grades), per pair.....	19	.....
Khaki (all arms and grades), per pair.....	19	.....
Olive drab (all arms and grades), per pair.....	20	.....
White, per pair.....	49	.....
Service, peace or war, per pair.....	9	.....
Coats:		
Canvas fatigue (brown), each.....	1 00	.....
Dress (all arms), each.....	5 76	.....
Dress (all arms), each.....		7 44
Service, cotton, khaki, each.....	1 58	.....
Service, olive drab, woolen, each.....	5 28	6 85
Coat braids, musicians, extra charge for, each.....		1 00

* Not an article of issue.

QUARTERMASTER STORES.

PRICE LIST OF CLOTHING — (Concluded).

ARTICLES.	Price, U. S. issue.	Price, State issue.
Cords:		
Breast (all arms), each	\$0 41	\$0 91
Hat (all arms), each	6	8
Hats:		
Service, each	1 82	.....
Campaign (old pattern), each* .....	.....	99
Laces:		
Breeches, per pair	01	02
Leggings, per pair	1 $\frac{1}{4}$	02
Leggings:		
Canvas puttee, per pair	66	.....
Leather, per pair	2 25	.....
Model 1907 or 15-inch, per pair	43	.....
Old pattern, per pair* .....	.....	54
Letters, " N. Y. ", gilt, collar, each .....	.....	08
Ornaments:		
Cap, bronze (all arms), each	7	7 $\frac{3}{4}$
Cap, gilt (all arms), each	9	8 $\frac{3}{4}$
Collar, gilt (all arms), each, device	9	8 $\frac{3}{4}$
Collar, bronze, old pattern, per pair* .....	.....	19
Overcoats:		
Olive drab, each	15 11	.....
Blue, each* .....	.....	13 24
Ponchos, each	4 60	2 98
Shirts, flannel, olive drab, each	2 94	.....
Shoes, russet, marching, per pair	2 87	.....
Slickers, for mounted troops, each	1 74	.....
Stripes, trouser (all arms and grades), per pair	25	.....
Trousers:		
Dress, 22 ounce, per pair	3 03	3 54
Canvas, fatigue, brown, per pair	1 06	.....
Khaki, foot, per pair	1 16	.....

* Not an article of issue.

162 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

QUARTERMASTER STORES.

ADDITIONAL CHARGES MADE FOR CLOTHING MANUFACTURED IN ACCORDANCE WITH SPECIAL MEASUREMENTS.

ARTICLES.	Price, U. S. issue.	Price, State issue.
Breeches, service:		
Cotton, khaki, foot, per pair	\$0 50	.....
Cotton, khaki, mounted, per pair	56	.....
Olive drab, woolen, foot, per pair	50	\$0 50
Olive drab, woolen, mounted, per pair	61	75
Coats:		
Dress (all arms), each	25	1 00
Service, cotton, khaki, each	71	.....
Service, olive drab, woolen, each	1 51	1 20
Overcoats, olive drab, each	3 11	.....
Shirts, flannel, olive drab, each	25	.....
Trousers:		
Dress, per pair	25	75
For sewing chevrons upon garments (all grades), per pair . .	20	.....
For sewing service chevrons upon garments (all grades), per pair	10	.....
For sewing stripes upon trousers made (all grades), per pair .	30	.....
For sewing stripes upon trousers unmade (all grades), per pair	40	65
For sewing double stripes upon trousers (all grades), per pair .	80	80

QUARTERMASTER STORES.

PRICES AT WHICH OBSOLETE CLOTHING WILL BE CHARGED IN CASE OF LOSS, DAMAGE OR OTHERWISE

ARTICLES.	Price, U. S. issue.	Price, State issue.
Blankets, woolen, red, each	\$2 50
Caps, fatigue, each	89
Cap badges and numbers, fatigue, each	18
Coats, undress, each	4 84
Hat devices, H. C., each	15
Hat figures, each	1 ³ / ₄
Hat letters, each	1 ³ / ₄
Helmets, complete, each	3 90
Helmet braids, each	50
Helmet cords and tassels, each	50
Helmet ornaments, each	50
Helmet plumes, each	50

QUARTERMASTER STORES.

PRICES AT WHICH ARTICLES OF EQUIPAGE WILL BE CHARGED IN CASE OF LOSS,
DAMAGE OR OTHERWISE.

ARTICLES.	Price, U. S. issue.	Price, State issue.
Axe, each.....	\$0 33	\$0 42
Axe helve, each*.....	13	14
Bedsack, each.....	60	91
Bugle, field artillery, each.....	1 78	4 00
Bugle, "G," each.....	.....	4 00
Bugle cord and tassels, each.....	.....	90
Color case, each.....	39	75
Color sling, olive drab, each.....	6 63	7 00
Color:		
Brigade, each.....	.....	90 00
Camp, with staff, each.....	2 75	.....
Coast artillery corps, silk, with case, cord and tassels..	149 41	.....
Battalion engineers, silk, each, with case, cord and tassels.....	133 09	.....
National:		
Service, each.....	14 50	20 00
Silk, each, with case, cord and tassels.....	38 87	57 00
Infantry, regimental, silk, each, with case, cord and tassels.....	132 46	.....
Regimental or battalion, State, each.....	.....	130 00
Color cord and tassels, silk, each.....	3 35	3 50
Color cord and tassels, worsted, each.....	1 40	.....
Color ring, each.....	.....	1 50
Color socket and slings, each.....	.....	1 75
Color spear heads, each.....	.....	1 40
Color staff, each.....	2 80	3 00
Cots, each.....	2 50	.....
Cymbals, pairs.....	.....	24 00
Cymbal pouches.....	.....	3 75
Desks, field:		
Old pattern.....	7 45	.....
New pattern.....	8 60	.....
Drum, bass, each.....	.....	14 00
Drum, bass, cover, each.....	.....	4 00
Drum, bass, cover-pouch, each.....	.....	2 00
Drum, bass, head, each.....	.....	3 00
Drum, bass, ropes, each.....	.....	0 75
Drum, bass, slings, each.....	.....	1 50
Drum, bass, stick, each.....	.....	75
Drum, snare, complete, each.....	4 32	5 40
Drum, snare, case, each.....	44	2 50
Drum, snare, cover-pouch, each.....	.....	2 00
Drum, snare, ears, each*.....	.....	5
Drum, snare, head, batter, each*.....	46	1 00
Drum, snare, head, snare, each*.....	46	1 00
Drum, snare, rod, each*.....	20	20
Drum, snare, rope, each*.....	.....	40

* Expendable.

QUARTERMASTER STORES.

PRICES AT WHICH ARTICLES OF EQUIPAGE WILL BE CHARGED IN CASE OF LOSS,
DAMAGE OR OTHERWISE—(Continued).

ARTICLES.	Price, U. S. issue.	Price, State issue.
Drum, snare, slings, each	\$0 72	\$0 60
Drum, snare, snares, set*	18	25
Drum sticks, snare, pair*	35	50
Drum stick carriages, snare, each	23	30
Fife, each	18½	75
Flag:		
Garrison, each	32 00	.....
Hospital:		
Field, each	1 85	.....
General, each	3 00	.....
Post, each	8 68	11 00
Storm, each	1 69	4 00
Flag halliards, each, garrison and post*	2 94	.....
Guidon:		
Ambulance, including staff, each	1 68	.....
Cavalry:		
Service, each	2 20	3 25
Silk, each, with case	6 13	15 00
Engineers:		
Service, each	7 25	.....
Silk, each, with case	18 35	.....
Field artillery:		
Service, each	3 75	6 00
Silk, each, with case	10 14	20 00
Signal corps:		
Service, each	8 00	.....
Silk, each, with case	12 11	.....
Guidon case, each	0 18	0 75
Guidon, staff, each	2 50	2 75
Hatchet, each	18	40
Hatchet helve, each*	4	8
Lanterns, hand, each	.....	42
Mallet, wood, each	.....	50
Mallet handles, wood, each	.....	14½
Marking outfits, each	.....	6 45
Mauls, woods, each	.....	50
Mosquito bar:		
Double, each	2 29	.....
Single, each	2 59	.....
Mosquito head net, each	31	33
Pails, galvanized iron, 14 quarts, each	.....	27
Pickaxe, each	30	45
Pickaxe helve, each*	8	10
Pitchforks, each	.....	72
Rakes, iron, each	.....	50

* Expendable.

QUARTERMASTER STORES.

PRICES AT WHICH ARTICLES OF EQUIPAGE WILL BE CHARGED IN CASE OF LOSS,
DAMAGE OR OTHERWISE—(Continued).

ARTICLES.	Price, U. S. issue.	Price, State issue.
Shovels:		
Long handled, each.....	\$0 51	\$0 54
Short handled, each.....	47	50
Spades, each.....	49	67
Standard:		
Cavalry and field artillery national:		
Service, each, with case.....	14 50	15 50
Silk, each, with case.....	19 09	19 09
Standard case, each.....	35	75
Standard staff, each.....	2 80	3 00
Tent:		
Conical wall, khaki, each.....	34 51	.....
Conical wall, khaki, complete, each.....	36 98	43 18
Conical wall, white, complete, each.....	.....	33 10
Hospital:		
Khaki, each.....	50 42	50 50
Khaki, complete, each.....	70 47	.....
White, each.....	.....	36 40
Shelter, each half, without pole and pins, each.....	1 61	.....
Shelter, each half, with one pole and five pins, each.....	1 75½	.....
Shelter, complete, each.....	3 51	6 75
Wall:		
Khaki, each.....	16 71	25 73
Khaki, complete, each.....	24 19	.....
White, each.....	.....	19 40
Fly:		
Hospital, khaki, each.....	14 93	17 97
Hospital white, each.....	.....	12 84
Wall, khaki, each.....	5 93	8 95
Wall, white, each.....	.....	6 63
Tent pins:		
Large, each*.....	2	3½
Small, each*.....	1	2½
Shelter, each*.....	½	1½
Tent poles:		
Conical wall, short, each.....	94	.....
Conical wall, long, each.....	.....	1 95
Hospital set.....	4 50	5 25
Ridge (1), each.....	2 00	.....
Upright (2), each.....	1 25	.....
Shelter, set (2).....	24	.....
Wall, set.....	1 18	2 00

* Expendable.

166 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

QUARTERMASTER STORES.

PRICES AT WHICH ARTICLES OF EQUIPAGE WILL BE CHARGED IN CASE OF LOSS, DAMAGE OR OTHERWISE—(Continued).

ARTICLES.	Price, U. S. issue.	Price, State issue.
Tent chains, set*	\$0 29	.....
Tent pole sockets, each*	38	.....
Tent rings:*		
7-inch, each*	5	.....
18-inch, each*	14	.....
Tent slips, metal, all kinds, each*	02	.....
Tent straps, each*	10	.....
Tent tripods, each	95	.....
Tent parts, lines, etc.:		
Hoods, conical tents, including lines, each*	1 05	.....
Guy lines, including tent slips:*		
Hospitals tents, two 60 ft. each, set*	30	.....
Shelter tents (no slips), each*	2	.....
Eave lines, including tent slips:*		
Hospital tents (14 feet), each*	5	.....
Wall tents (10 feet), each*	4	.....
Conical tents (23 feet), each*	3½	.....
Eave lines for tent flies, including tent slips:*		
Hospital (14 feet), each*	4	.....
Wall (10 feet), each*	4	.....
Wall lines, per dozen*	7	.....
Door fasteners, 30 inches long, per dozen*	12	.....
Door fasteners, 40 inches long, per dozen*	16	.....
Door lines, per dozen*	7	.....
Foot stops per dozen*	12	.....
Trumpet "G" with "F" slide, and extra mouthpiece, each	2 20	\$4 00
Trumpet cord and tassel, each	36	90
Trumpet crook, each	21	25
Trumpet mouthpiece, each	25	30

* Expendable.

PRICE LIST OF ORDNANCE STORES.

CLASS VII.

SMALL AND HAND ARMS OF ALL KINDS, INCLUDING THEIR SPARE PARTS
AND APPENDAGES.

CLASS VII, SECTION I.

RIFLES AND CARBINES, WITH THEIR PARTS AND APPENDAGES.

NOTE.—The prices of rifles, carbines, and revolvers do not include the costs of their packing boxes, which are as follows: For 1 rifle \$1.15, for 2 rifles \$1.60, for 3 rifles \$1.90, for 4 rifles \$2.40, for 5 rifles \$2.85, for 6 rifles \$3.40, for 7 or 8 rifles \$3.85, and for 9 or 10 rifles \$4.25. When revolvers are packed in boxes the cost of packing will be fixed by the officer making the sale. When rifles and revolvers are packed in arm chests, the latter will be charged for at the prices hereinafter stated. When the purchaser desires that a rifle be star gauged, the cost of this work will be 75 cents.

U. S. rifle, model of 1903, parts and appendages.

U. S. rifle, calibre .30, model of 1903..... \$15.00
The rifle does not include the bayonet or any of its appendages.

Parts:

Barrel \$2.70

Consisting of —

<i>Barrel, stripped</i>	\$1.95	} Assembled.
<i>Front sight fixed stud</i> . . . . .	.18
<i>Front sight stud pin</i> . . . . .	.01
<i>Rear sight fixed base</i> . . . . .	.54
<i>Rear sight base pin</i> . . . . .	.01
<i>Rear sight base spline</i> . . . . .	.01

Receiver 2.60

NOTE.—The barrel is finished chambered after it is assembled to the receiver, and is, therefore, not issued or sold separately.

Bolt, with extension collar	\$1.22
<i>Bolt stop (pin and spring assembled)</i> . . . . .	.02
Butt plate . . . . .	.35

NOTE.—Parts italicized are not supplied otherwise than assembled, as listed above.

NOTE.—This price list covers articles of United States issue only.

168 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

Parts — (Continued):

*Butt plate cap	\$0.04	..
*Butt plate cap pin .....	.01	
*Butt plate cap spring .....	.01	
*Butt plate cap screw .....	.01	
*Butt plate screw, large .....	.01	
*Butt plate screw, small .....	.01	
*Butt swivel, complete .....	.10	

Consisting of —

<i>Butt swivel</i>	\$0.01	} Assembled.
<i>Butt swivel pin</i> .....	.01
<i>Butt swivel plate</i> .....	.08

*Butt swivel plate screws, 2, at 1 cent each .....	.02
Cut-off, complete .....	.22

Consisting of —

Cut-off	\$0.18
*Cut-off spindle .....	.01
*Cut-off spindle screw .....	.01
*Cut-off spring .....	.01
*Cut-off spring spindle .....	.01
*Ejector .....	.08
*Ejector pin .....	.01
Extractor .....	.31
Cocking piece and firing pin rod .....	.28
*Firing pin sleeve .....	.01
Follower .....	.23
*Front sight .....	.03
*Front sight pin .....	.01
Front sight movable stud .....	.11
*Front sight screw .....	.01
Floor plate .....	.32
*Floor plate catch .....	.08

NOTE.—Parts italicized are not supplied otherwise than assembled as listed above.

* When these parts are used in the repair of the rifle they may be dropped from the return on certificate of the responsible officer to this effect.

PRICE LIST OF ORDNANCE STORES — (Continued).

Parts — (Continued) :

*Floor plate catch pin.....	\$0.02
*Floor plate catch spring.....	.02
Guard	1.20
*Guard screw, front . . . . .	.02
*Guard screw, rear . . . . .	.01
*Guard screw bushing.... (See Stock).....	\$0.01
Hand guard . . . . .	.31

Consisting of —

<i>Hand guard, stripped.....</i>	<i>\$0.27</i>	} <i>Assembled.</i>
<i>Hand guard clips, 2, at</i>		
<i>2 cents each.....</i>	<i>.04</i>	

Lower band . . . . .	.20
*Lower band spring (See Stock) ..	\$0.07
*Lower band swivel . . . . .	.08
*Lower band screw . . . . .	.01
*Magazine spring . . . . .	.08
*Mainspring . . . . .	.02
Rear sight, complete	1.06

Consisting of —

*Base spring	\$0.04
* <i>Drift slide and pin, assembled.....</i>	<i>.09</i>
*Joint pin . . . . .	.01
Leaf . . . . .	.29
Movable base . . . . .	.31
<i>Slide and slide cap, assembled.....</i>	<i>.22</i>
*Slide screw . . . . .	.01
*Slide cap pin . . . . .	.01
*Slide cap screw . . . . .	.01
*Windage screw, assembled.....	.07

Consisting of —

*Windage screw	\$0.03
*Windage screw collar.....	.01
*Windage screw knob.....	.01
*Windage screw knob pin....	.01
*Windage screw spring.....	.01

NOTE—Parts italicized are not supplied otherwise than assembled, as listed above.

* When these parts are used in the repair of the rifle they may be dropped from the return on certificate of the responsible officer to this effect.

170 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

Parts — (Continued):

Safety lock, complete..... \$0.14

Consisting of—

<i>Safety lock spindle.....</i>	<i>\$0.01</i>	} <i>Assembled.</i>
<i>Safety lock spindle spring. .01</i>		
<i>Safety lock spring spindle. .01</i>		
<i>Safety lock thumb piece... .11</i>		

Sear17
 *Sear joint pin..... .01
 *Sear spring01
 Sleeve, complete58

Consisting of—

Sleeve	\$0.49
*Sleeve lock . . . . .	.07
*Sleeve lock pin.....	.01
*Sleeve lock spring.....	.01
Stacking swivel . . . . .	.07
*Stacking swivel screw.....	.01
Stock	1.50

Consisting of—

<i>Stock, wood part.....</i>	<i>\$1.40</i>	} <i>Assembled.</i>
<i>Guard screw bushing.....</i>	<i>.01</i>	
<i>Lower band spring.....</i>	<i>.07</i>	
<i>Stock screw</i>	<i>.01</i>	
<i>Stock screw nut.....</i>	<i>.01</i>	

*Striker \$0.07
 Trigger12
 *Trigger pin01
 Upper band47
 *Upper band screw..... .01

Total \$15.00

NOTE—Parts italicized are not supplied otherwise than assembled, as listed above.

* When these parts are used in making repairs they may be dropped from the return on certificate of the responsible officer to this effect.

PRICE LIST OF ORDNANCE STORES — (Continued).

Parts — (Continued):

Requisitions for the ordnance stores described in this price list should follow nomenclature herein prescribed; when thus followed requisitions can be promptly filled.

APPENDAGES AND ACCESSORIES.

Cleaning rod (1 for every 5 arms)	\$0.23
Front sight cover .....	.02
Screw-driver (1 for every 5 arms) .....	.14
Oiler and thong case, complete .....	.18
Oiler case	\$0.11
*Oiler cap and dropper .....	.03
*Thong case cap and leather pad .....	.03
*Oiler cap washer .....	.01
Brush and thong	12
*Thong brush	\$0.08
*Thong cord .....	.01
*Thong tip .....	.02
*Thong weight .....	.01
Drift slide and pin assembled with 0".04 or 0".06 peep hole (1 each for every 5 arms) .....	.09

Follow the nomenclature herein prescribed in accounting for the ordnance stores described in this price list; when thus followed returns can be more promptly settled.

U. S. magazine rifle, model 1898, parts and appendages. See G. O. No. 29, series 1906, A. G. O., N. G., N. Y.

U. S. magazine carbine, model 1899, parts and appendages. See G. O. No. 29, series 1906, A. G. O., N. G., N. Y.

Gallery practice rifle, model of 1903, and appendages.

Gallery practice rifle, model of 1903..... \$15.00

NOTE.—The spare parts for the rifle are the same as for the United States rifle, model of 1903, except the barrel, the price of which is the same for both rifles.

NOTE.—Parts italicized are not supplied otherwise than assembled, as listed above.

* When these parts are used in repair they may be dropped from the returns on certificate of the responsible officer to this effect.

172 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (*Continued*).

APPENDAGES PECULIAR TO THE GALLERY PRACTICE RIFLE.

Cleaning brush, caliber .22.....	\$0.06
Cleaning rod, caliber .22.....	.23
Cartridge holder .....	.22
Components:	
Cartridge holder body.....	\$0.16
Cartridge holder plunger.....	.04
*Cartridge holder nut.....	.01
*Cartridge holder spring.....	.01
<hr/>	
Total	\$0.22
Ramrod . . . . .	.03

CLASS VII, SECTION 2.

PISTOLS AND REVOLVERS, WITH THEIR PARTS AND APPENDAGES.

Colt's revolver, caliber .38, models of 1901 and 1903, parts and appendages.

Colt's revolver, caliber .38, models of 1901 and 1903.....	\$11.60
--	---------

NOTE.—The revolver does not include the screw-driver, which will be accounted for separately. When the latter are (so in original) required in addition to the revolver, the requisition should so state.

Parts:

Stocks, with escutcheons, per pair.....	\$0.45
* Stock screw .....	.05
* Stock pin .....	.01
<i>Frame</i>	1.55
<i>Side plate</i> (with pin).....	.53
* Side plate screws, 2, at 5 cents each.....	.10
<i>Crane</i>	1.06
* Crane lock .....	.16
* Crane lock screw.....	.08
<i>Crane bushing</i> .....	.10
<i>Cylinder</i>	1.17

NOTE.—Parts italicized will not be issued separately as spare parts for the repair of arms in the hands of troops.

* When these parts are used in the repair of the revolver they may be dropped from the return on certificate of the responsible officer to this effect.

PRICE LIST OF ORDNANCE STORES — (Continued).

Parts — (Continued) :

* <i>Cylinder bolt</i>	\$0.21	
* <i>Cylinder bolt spring</i> .....	.06
<i>Ejector</i> .....	.53
<i>Ejector rod</i> .....	.21
* <i>Ejector rod head</i> .....	.11
<i>Ejector spring</i> .....	.11
Latch .....	.53
* Latch spring .....	.02
* Latch pin .....	.01
<i>Barrel</i>	1.06	
Hammer .....	.85
* Hammer stirrup .....	.15
* Hammer stirrup pin .....	.02
* Hammer strut .....	.09
* Hammer strut pin .....	.02
* Hammer strut spring .....	.07
Hammer pin ...	} Issued assembled only to troops	.04
Hand21
* Hand spring ..		.03
Mainspring .....	.32
* Mainspring tension screw (or strain screw) .....	.03
Trigger .....	.64
Rebound lever arm pin .....	.01
<i>Trigger pin</i> .....	.01
Rebound lever .....	.32
* <i>Rebound lever pin</i> .....	.03
Rebound lever spring .....	.23
* Rebound lever spring pin .....	.03
Recoil plate .....	.05
* Locking lever .....	.11
* Locking lever screw .....	.03
Swivel ring and stud .....	.19
* Swivel pin .....	.01
<hr/>		
Total	\$11.60	

APPENDAGES.

Screw-driver	\$0.11
--------------------	--------

NOTE.—Parts italicized will not be issued separately as spare parts for the repair of arms in the hands of troops.

* When these parts are used in the repair of the revolver they may be dropped from the return on certificate of the responsible officer to this effect.

174 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

Colt's revolver, caliber .45, model of 1909, parts and appendages.

Colt's revolver, caliber .45, model of 1909..... \$13.50

NOTE.—The revolver does not include the screw-driver, which will be accounted for separately, and will be called for on a requisition when needed in addition to the revolver.

Parts:

Hammer, complete (hammer, strut, pin, spring, stirrup, pin, firing pin, and rivet).....	\$1.25
Hammer stirrup .....	.10
* Hammer stirrup pin.....	.01
Hammer strut .....	.10
* Hammer strut pin.....	.01
* Hammer strut spring.....	.02
Trigger, complete (trigger and safety lever pin) ..	.42
Bolt .....	.18
Bolt spring .....	.05
* Bolt spring screw.....	.01
Mainspring .....	.36
Rebound lever .....	.36
* Rebound lever pin.....	.01
Ejector rod head.....	.05
* Ejector spring .....	.02
Crane lock .....	.10
* Crane lock screw.....	.02
Latch pin, complete (latch pin and stud) .....	.06
* Latch spring .....	.02
Hand .....	.20
Stock screw .....	.05
* Slide plate screw.....	.02
Hammer firing pin.....	.15
* Hammer firing pin rivet.....	.01
Safety . . . . .	.15
Safety lever .....	.07

APPENDAGES.

Screw-driver \$0.11

Miscellaneous pistols and revolvers, with their parts and appendages.

Colt's revolver, caliber .38, models of 1894 and 1896..... \$11.40

NOTE.—As these models are not provided with the swivel ring and stud and the swivel pin, the price is 20 cents less than that for the model of 1901 or 1903. The prices of the other components are the same as for the model of 1901 and 1903.

* When these parts are used in the repair of the revolver they may be dropped from the return on certificate of the responsible officer to this effect.

PRICE LIST OF ORDNANCE STORES — (Continued).

CLASS VII, SECTION 5.

HAND ARMS, WITH THEIR PARTS AND APPENDAGES.

Sabres, swords, H. C. knives, scabbards and their parts.

Artillery saber	\$3.55	
Scabbard for artillery saber.....	1.45	

Artillery saber with scabbard.....		\$5.00
<hr/>		
Cavalry saber	\$3.10	
Parts:		
Blade	\$2.00	
Grip . . . . .	.30	
Guard . . . . .	.80	

Total	\$3.10	

Scabbard for cavalry saber.....	1.40	

Calvary saber with scabbard.....		\$4.50
Noncommissioned officer's sword.....	\$3.00	
Scabbard for noncommissioned officer's sword.....	1.50	

Noncommissioned officer's sword with scabbard.....		4.50
Bolo	\$3.15	
Sheath for bolo, model of 1908.....	1.65	

Bolo and sheath.....		4.80
Hospital corps knife.....	\$3.00	
Scabbard for hospital corps knife.....	1.75	

Hospital corps knife with scabbard.....		4.75
Machete	\$1.25	
Scabbard for machete.....	.90	

Machete with scabbard.....		2.15
<hr/>		
<i>Knife bayonet and bayonet scabbard, model of 1905, and their parts.</i>		
Knife bayonet, model of 1905.....		\$1.90
Parts:		
Bayonet blade	\$1.50	
Bayonet guard .....	.20	
* Bayonet guard rivets, 2 at 1 cent each.....	.02	
* Bayonet catch .....	.04	
* Bayonet scabbard catch.....	.06	
* Bayonet spring .....	.01	

* When these parts are used in repair of the bayonet they may be dropped from the return on certificate to this effect.

176 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

Parts — (Continued):

* Bayonet grip, right	\$0.02	
* Bayonet grip, left.....	.02	
* Bayonet grip screw washer.....	.01	
* Bayonet grip screw nut.....	.01	
* Bayonet grip screw.....	.01	
<hr/>		
Total	\$1.90	
Bayonet scabbard, model of 1905.....		\$1.30

Bayonet for the model of 1898 rifle; bayonet scabbard, model of 1899, and parts.

Bayonet for model of 1898 rifle.....		\$1.45
Parts:		
Bayonet blade	\$0.80	
Bayonet pommel .....	.23	
* Bayonet catch .....	.05	
* Bayonet catch nut.....	.04	
* Bayonet catch spring.....	.01	
* Bayonet grip, body, right.....	.03	
* Bayonet grip, body, left.....	.03	
* Bayonet grip rivets, 2 at 1 cent each.....	.02	
* Bayonet grip washers, 4 at 1 cent each.....	.04	
Bayonet guard .....	.20	
<hr/>		
Total	\$1.45	
Bayonet scabbard, model of 1899.....		.40

CLASS VIII.

SMALL ARMS AMMUNITION OF ALL KINDS, INCLUDING THEIR COMPONENTS.

NOTE.— See Regulations in regard to the purposes for which ammunition may be expended.

CLASS VIII, SECTION 1.

RIFLE AMMUNITION AND ITS COMPONENTS.

Ammunition for the United States rifle, model of 1903, and gallery practice rifle, model of 1903.

Ball cartridges, model of 1906, per M.....	\$29.10
Blank cartridges, model of 1906, per M.....	20.25
Dummy cartridges, model of 1906, per M.....	19.40
Guard cartridges, model of 1906, per M.....	21.55
Gallery practice cartridges, caliber .22, per M.....	2.05

* When these parts are used in repair of the bayonet they may be dropped from the return on certificate to this effect.

PRICE LIST OF ORDNANCE STORES — (Continued).

NOTE.—The prices of the various ammunition described above include the clips, and in case of the ball cartridges the bandoleers also. No reduction in charge or price will be made when the ammunition is furnished without clips or bandoleers. Ball cartridges are packed 1,200 in a box; blank cartridges model of 1906 are packed 1,000 in box. Requisitions therefor should call for lots which are multiples of these numbers.

Components:

Bandoleers, each	\$0.07
Cartridge clips, per M.....	4.65
Gallery practice and dummy clips, per M.....	5.90
Cartridge primers, caliber .30, per M.....	.75
Guard bullets for model of 1906 ammunition, per M.....	6.75
Service cartridge cases for model of 1906 ammunition, per M..	11.65
Service bullets for model of 1906 ammunition, per M.....	6.75
Black powder, small arms, per pound.....	.23
Smokeless powder for ball cartridges, model of 1898, per lb...	.90
Smokeless powder for ball cartridges, model of 1906, per lb..	.90
Smokeless powder for blank cartridges, models of 1898 and 1906, per lb.....	.90

AMMUNITION FOR THE MAGAZINE RIFLE, MODEL OF 1898, AND THE
CARBINE, MODEL OF 1899.

Ball cartridges, model of 1898, per M.....	\$29.75
Blank cartridges, model of 1898, per M.....	18.00
Dummy cartridges, model of 1898, per M.....	22.00
Guard cartridges, model of 1898, per M.....	19.00

Components:

Bandoleers, each .....	.07
Cartridge primers, caliber .30, per M.....	.75
Guard bullets for model of 1898 ammunition, per M.....	4.60
Service cartridge shells for model of 1898 ammunition, per M..	13.00
Service bullets for model of 1898 ammunition, per M.....	9.20

CLASS VIII, SECTION 2.

AMMUNITION FOR PISTOLS AND REVOLVERS.

Revolver ball cartridges, caliber .38, per M.....	\$9.70
Revolver blank cartridges, caliber .38, per M.....	8.65
Revolver cartridge shells, caliber .38, per M.....	5.90
Revolver bullets, caliber .38, per M.....	2.75
Cartridge primers, caliber .38, per M.....	.65
Revolver ball cartridges, caliber .45, model of 1909, per M...	12.95
Revolver blank cartridges, caliber .45, model of 1909, per M..	11.10
Revolver cartridge shells, caliber .45, model of 1909, per M....	7.30
Revolver bullets, caliber .45, model of 1909, per M.....	3.80

178 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

Cartridge primers, caliber 45, per M.....	\$0.65
Smokeless powder for caliber .38 revolver; and guard cartridges, models of 1898 and 1906, per lb.....	1.00

CLASS IX.

EQUIPMENTS FOR THE SOLDIER, HORSE EQUIPMENTS, AND THEIR
COMPONENTS.

NOTE.— All descriptions of leather equipments in which the color is not stated refer to the standard russet equipments.

CLASS IX, SECTION 1.

INFANTRY EQUIPMENTS AND THEIR COMPONENTS.

Blanket roll straps, set (4).....	\$0.48
Blanket roll straps, black, set (4).....	.48
Canteen, tin .....	.43
Canteen, infantry, tin.....	.60

NOTE.— The infantry canteen has web straps sewed to cover.

Canteen haversack strap.....	.70
Canteen haversack strap, black.....	.70
Canteen strap, web.....	.30

NOTE.— The strap includes the snap hook.

Cartridge belt, woven, infantry, caliber .30, model of 1903....	2.25
Cartridge belt, woven, infantry, caliber .30, model of 1909....	2.40

NOTE.— The models of 1903 and 1909 belts are provided with pockets, for the carrying of ammunition. Both belts are provided with fasteners.

Cartridge belt suspenders, model of 1907, pair.....	.54
---	-----

Consisting of:

2 shoulder straps, complete, at 15 cents.....	\$0.30
2 adjusting straps, complete, at 11 cents.....	.22
1 suspender guide.....	.02

Total \$0.54

Cartridge box, McKeever's, caliber .30.....	1.55
Cartridge box, McKeever's, caliber .45, black.....	1.75
Cup, tin .....	.14
Fork . . . . .	.05
Gun sling, model of 1898 rifle.....	.55

NOTE.— This sling is also used with the caliber .45 rifle.

PRICE LIST OF ORDNANCE STORES — (*Continued*).

Gun sling, model of 1907.....	\$0.81
Haversack, model of 1904.....	1.25

NOTE—The haversack includes 1 bacon bag, 1 salt bag, 1 sugar bag, 1 knife scabbard, and 1 fork scabbard, which are loose articles.

Haversack, model of 1908.....	1.45
-------------------------------	------

NOTE.—The haversack includes the same articles as the old model, except the bacon bag.

Knife . . . . .	.12
Meat can, tin.....	.30
Pouch for first-aid packet, model of 1907.....	.13
Sliding frog for noncommissioned officer's waist belt.....	.46
Sliding frog for noncommissioned officer's waist belt, black...	.46
Spoon . . . . .	.04
Waist belt . . . . .	.82
Waist belt for hospital corps.....	.86
Waist belt for noncommissioned officer.....	1.30

NOTE.—A belt for noncommissioned officer includes the sliding frog. All belts include their buckles. When transferred or inventoried without buckles they will be described as "Waist belts without buckles."

Waist belt adapter.....	.03
-------------------------	-----

Components:

* Bag, coffee or sugar.....	.04
Bag, bacon . . . . .	.18
* Bag, salt . . . . .	.04
* Canteen cork and chain.....	.03
* Canteen cover, duck.....	.12
* Canteen cover, felt.....	.05
* Snap for web canteen strap.....	.08
* Cartridge belt fastener.....	.07

NOTE.—The fastener is made of two parts for mutual attachment.

* Haversack snap hook.....	.09
* Hook, double, brass wire.....	.02
* Fork scabbard . . . . .	.03
* Knife scabbard . . . . .	.03
* Ring, brass wire, D, $\frac{3}{4}$ inch.....	.01
* Squares, brass, wire, $\frac{3}{4}$ inch.....	.01
* Waist belt buckle . . . . .	.08

* When these articles are used in repair of equipments they may be dropped from the return on certificate of the responsible officer to this effect.

180 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

CLASS IX, SECTION 2.

CAVALRY EQUIPMENTS AND THEIR COMPONENTS.

Canteen, cavalry	\$0.43
Canteen strap, cavalry .....	.32
Canteen strap, cavalry, black .....	.32
Cartridge belt, woven, cavalry, caliber .30, model of 1903.....	2.30
Cartridge belt, woven, caliber .30, cavalry, model of 1909.....	3.05

NOTE.—The models of 1903 and 1909 belts are provided with pockets for the carrying of ammunition. They include the *fasteners and the saber ring for the saber attachment.

Cartridge box, caliber .38, revolver.....	.63
Cartridge box, caliber .38, revolver, black.....	.63
Cartridge box, caliber .45, revolver.....	.70
Revolver holster, caliber .38.....	1.30
Revolver holster, caliber .38, black.....	1.30
Revolver holster, caliber .45, model of 1909.....	1.45
Revolver holster, caliber .45, black (single action).....	1.45
Revolver holster, pigskin, caliber .45, long barrel.....	1.75
Revolver lanyard .....	.34
Saber belt	1.30
Saber belt, black	1.30

NOTE.—The saber belt includes the buckle, slide with safe, and saber attachment.

Saber knot .....	.68
Saber knot, black .....	.68
Spurs, pair .....	.56

NOTE.—The spur does not include the strap.

Spur straps, pair .....	.38
Spur straps, black, pair .....	.38

NOTE.—See the preceding section for prices of other articles of equipments which are frequently issued to mounted organizations.

Components:

* Revolver holster thong.....	.09
* Revolver lanyard snap hooks.....	.01

* When these articles are used in repair of equipments they may be dropped from the return on certificate of the responsible officer to this effect.

PRICE LIST OF ORDNANCE STORES — (Continued).

* Revolver holster button.....	\$0.02
Saber attachment . . . . .	.41
Saber attachment, black.....	.41
* Saber belt slide . . . . .	.07
* Saber attachment button.....	.02
Saber attachment hook.....	.10
Snap hook for cavalry canteen strap.....	.05

CLASS IX, SECTION 3.

ARTILLERY EQUIPMENTS AND THEIR COMPONENTS.

Cartridge belt, caliber .38 (or .45) revolver, model of 1903, without saber ring	\$1.65
Cartridge belt, caliber .38 (or .45) revolver, model of 1903 with saber ring	1.70

NOTE.—These belts are provided with pockets for carrying ammunition; they are also furnished to other branches of the service as authorized.

Knapsack	4.75
--------------------	------

NOTE.—The knapsack consists of a body, handle, and two straps.

Components:

* Fasteners for revolver cartridge belts, calibers .38 and .45....	.07
Knapsack body	3.55
Knapsack straps and handle	1.20

CLASS IX, SECTION 5.

HORSE EQUIPMENTS AND THEIR COMPONENTS.

Bridle, curb, model of 1902.....	\$4.25
----------------------------------	--------

Components:

Bridle headstall	\$1.70
2 cheek pieces, each 35 cents.....	\$0.70
1 crown piece . . . . .	.35
1 brow band . . . . .	.21
1 throat latch . . . . .	.36
2 brow-band ornaments, each 4 cents....	.08

* When these articles are used in repair of equipments they may be dropped from the return on certificate of the responsible officer to this effect.

182 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

Bridle reins	\$1.10
Curb bit, model of 1892, steel	1.15
Curb chain, model of 1904, steel, without hooks . . . . .	.16
* Curb chain hooks (2 at 7 cents each) . . . . .	.14
<hr/>	
Total	\$4.25

NOTE.—The price of the black bridle headstall is the same as that of the russet.

NOTE.—The price of the black curb bridle is the same as that of the russet. Curb chain hooks are rights and lefts.

The above price of bridles apply to the bridles only having the components described. The prices of bridles having other components will be ascertained by taking the aggregate of the prices of the components.

Bridle, watering \$1.60

Components:

Bridle reins, watering	\$1.00
Watering bit, steel . . . . .	.36
* Watering bit snaps (2), each 12 cents . . . . .	.24
<hr/>	
Total	\$1.60

NOTE.—The price of the black leather watering bridle is the same as that of the russet.

Bridle reins, curb, model of 1902	1.10
Bridle reins, curb, black	1.10
Bridle reins, watering	1.00
Bridle reins, watering, black	1.00
Cincha, hair	1.60
Cincha, hair, black	1.60
* Cincha strap . . . . .	.32
* Cincha strap, black . . . . .	.32
* Coat strap for saddle, pommel . . . . .	.24
* Coat strap for saddle, cantle . . . . .	.27
* Coat strap for saddle, cantle, black . . . . .	.27
* Coat strap for saddle, pommel, black . . . . .	.24
† Coat strap, 60-inch . . . . .	.35

* When these articles are used in repair of equipments they may be dropped from the return on certificate of the responsible officer to this effect.

† Issued only to Field Artillery.

PRICE LIST OF ORDNANCE STORES — (Continued).

Curb bit, model of 1892	\$1.15
Curb bit, model of 1892, double rein.....	1.20
Curb chain, model of 1904, steel, without hooks.....	.16
Curb chain, noncorrosive, without hooks.....	.46
* Curb chain hook, right or left.....	.07
Curb strap .....	.50
Currycomb .....	.30
Currycomb (with hoof hook).....	.58
Currycomb, black .....	.30
Halter	3.70

Components:

Halter headstall	\$2.95
* Halter strap .....	.75

Total

3.70

Halter, black

3.70

Components:

Halter headstall, black	\$2.95
* Halter strap .....	.75

Total

3.70

Halter chain

.73

Horse brush

1.30

Horse brush, black

1.30

Horse cover

5.00

Horse cover, black

5.00

Horse cover, blanket lined.....

10.11

NOTE.— A complete horse cover includes the surcingle.

Lariat .....	.78
Lariat strap .....	.14
Link .....	.27
Link, black .....	.27
Nosebag, model of 1908 (cloth bottom).....	.70
Nosebag, model of 1908 (leather bottom).....	1.25
Picket pin .....	.41
* Saber strap .....	.19
* Saber strap, black.....	.19
Carbine scabbard	3.45
Carbine scabbard, black	3.45

NOTE.— The carbine scabbard is for the securing of the model of 1899 carbine only. It includes the long and the short scabbard straps.

* When these articles are used in repair of equipments they may be dropped from the return on certificate of the responsible officer to this effect.

184 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

Quarter strap, self-adjusting	\$2.50
Quarter strap, adjustable	3.80
Rifle scabbard	4.00

NOTE.— This scabbard is for the securing of the model of 1903 rifle and model of 1899 carbine. It includes the long and short scabbard straps and two $\frac{7}{8}$ -inch iron snaps.

Saddle, McClellan, complete, for cavalry	22.40
--	-------

Components:

1 cincha, hair	\$1.60
* 3 coat straps, cantle, each 27 cents . . . . .	.81
* 3 coat straps, pommel, each 24 cents . . . . .	.72
1 stirrups, hooded, pair	2.00
* 1 stirrup straps, pair	1.36
1 saddletree, covered, including adjustable quarter strap	15.91

Total	\$22.40
-----------------	---------

NOTE.— This saddle is being issued to replace the unlined saddle. It is the standard saddle for officers and enlisted men, having the saddletree and the quarter-strap safe-faced with sheepskin. The price is the same when made of black leather.

Saddle, McClellan, complete for Field Artillery	21.85
---	-------

Components:

1 Cincha, hair	\$1.60
* 1 coat strap, cantle . . . . .	.27
* 3 coat straps, pommel, each 24 cents . . . . .	.72
1 stirrups, hooded, pair	2.00
1 stirrup straps, pair	1.36
1 saddletree, covered, including adjustable quarter strap	15.90

Total	\$21.85
-----------------	---------

NOTE.— This saddle has the saddletree and the quarter strap safe faced with sheepskin.

Saddle, McClellan, complete, for cavalry, without sheepskin facing	21.55
--	-------

Components:

1 cincha, hair	\$1.60
* 3 coat straps, cantle, 27 cents each . . . . .	.81

* When these articles are used in repair of equipments they may be dropped from the return on certificate of the responsible officer to this effect.

PRICE LIST OF ORDNANCE STORES — (Continued).

* 3 coat straps, pommel, 24 cents each.....	\$0.72
1 stirrups, hooded, pair	2.00
* 1 stirrup straps, pair	1.36
1 saddletree, covered, including self-adjusting quarter strap and without sheepskin facing..	15.06
Total	\$21.55

NOTE.— This is the saddle which is being replaced by the one with the sheepskin lining.

Saddlebags pair..	\$7.65
Saddlebags, black do...	7.65

NOTE.— Each pair of saddlebags includes two linings, one coffee bag, one sugar bag, one salt bag, and two saddlebag side straps. The bags are the same as those furnished with the haversack. The price does not include two coat straps 60-inch, which are supplied only to Field Artillery.

Saddle blanket	4.35
--------------------------	------

NOTE.— This blanket is the standard, and is of olive drab color.

Saddle blanket, gray	2.95
Saddlecloth, service (for enlisted men).....	3.40
Saddle cover	2.45
Stirrup, hooded, pair	2.00
Stirrup, hooded, with guidon socket	1.70
* Stirrup strap, pair.....	1.36
Surcingle, artillery . . . . .	.91
Surcingle, cavalry . . . . .	.91
Surcingle, olive drab	1.00

NOTE.— The olive drab surcingle is now common for issue to all branches of the service.

Watering bit, noncorrosive metal81
--	-----

Components:

* Brass wire end hook .....	.01
* Figures for saddlecloths, each .....	.05
* Halter bolts . . . . .	.01
* Halter squares . . . . .	.01

* When these articles are used in repair of equipments they may be dropped from the return on certificate of the responsible officer to this effect.

186 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

* Halter swivel ring.....	\$0.08
* Halter chain link.....	.07
* Lariat snap .....	.04
* Link snap ($\frac{7}{8}$ -inch, bronze).....	.02
* Rifle scabbard strap, long .....	.34
* Rifle scabbard strap, short .....	.27
* Rifle scabbard strap snap .....	.02
* Rings, brass, $1\frac{1}{4}$ -inch .....	.03
* Rings, iron, 4-inch .....	.04
* Foot staples, high, low, or semicircular.....	.03
* Saddle ovals (11-inch, $11\frac{1}{2}$ -inch, or 12-inch) for Whitman saddle . . . . .	.02
* Saddle ovals (McClellan saddle).....	.02
* Saddle shields (11-inch, $11\frac{1}{2}$ -inch, or 12-inch) McClellan saddle . . . . .	.02
* Saddlebag ovals . . . . .	.02
* Saddlebag stud . . . . .	.03
* Saddlebag lining, pair .....	.72
* Saddlebag side strap .....	.22
* Saddle nails . . . . .	.02
Stirrup, wood, without hood .....	.32
Stirrup hood . . . . .	.59
* Watering bit snap . . . . .	.12

NOTE.—Cost of black equipments are the same as russet.

74

CLASS X.

MISCELLANEOUS ARTICLES FOR THE USE OF TROOP, BATTERY, AND COMPANY ORGANIZATIONS.

CLASS X, SECTION 1.

ARM CHESTS, ARM RACKS, ETC.

Arm chests, etc.

Arm chest, caliber .38 revolver, capacity 50 arms.....	\$4.15
Arm chest, model of 1899 carbine	5.10
Arm chest, model of 1898 rifle	5.10
Arm chest, model of 1903 rifle, capacity 10 arms.....	4.80
Arm chest, gallery practice rifle, model of 1903, capacity 4 arms	2.40
Packing chest for knife bayonets, model of 1905.....	2.35
Packing chest for hospital corps knives.....	2.40

* When these articles are used in repair of equipments they may be dropped from the return on certificate of the responsible officer to this effect.

PRICE LIST OF ORDNANCE STORES — (Continued).

Arm racks.

Arm rack, model of 1908, for Colt's caliber .38 revolver, model of 1901 \$48.50

NOTE.—An arm rack includes the padlock and feet.

Spare parts:

Arm-rack foot18
Padlock for arm rack 1.15

NOTE.—The padlock is also used for the arm chest. A padlock always includes the appropriate keys.

CLASS X, SECTION 3.

INTRENCHING TOOLS AND THEIR CARRIERS.

Hand ax \$0.49
Hand-ax carrier91
Pick mattock58
Pick-mattock carrier 1.20
Rule, boxwood, 2-foot (4-fold, graduated to 8ths, 10ths, 12ths, and 16ths of an inch)25
Shovel52
Shovel carrier97
Wire cutter, 10-inch31

Spare parts:

Handles for pick mattocks, intrenching24
Handles for hand axes, intrenching15
Handles for shovels, intrenching13

NOTE.—When intrenching tools are transferred the invoice should be headed "Intrenching tools" to avoid confusing the above tools with other general tools.

CLASS X, SECTION 9.

TOOLS FOR REPAIRING ARMS AND EQUIPMENTS.

Company repair kit, model of 1898 rifle, and its components.

Company repair kit, model of 1898 rifle \$4.45

NOTE.—This kit will be transferred and accounted for by its components, since they are not of the same number for all kits.

188 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

PRICE LIST OF ORDNANCE STORES — (Continued).

Components:

1 chest	\$1.80
1 anvil and block . . . . .	.44
* 8 drifts, each 6 cents . . . . .	.48
(One each of Nos. 1, 2, 3, 4, 5, and 6, and 2 of No. 7.)	
1 hammer, steel . . . . .	.30
1 pair of pliers . . . . .	.30
4 screw-drivers, each 15 cents . . . . .	.60
(Nos. 1, 2, 3, and 4.)	
* 1 set, No. 1 . . . . .	.04
1 assembling tool . . . . .	.15
* 1 block, wood . . . . .	.05
1 hammer, brass . . . . .	.25
* 1 set, No. 2 . . . . .	.04
<hr/>	
Total	\$4.45

NOTE.—The last three articles are for regulating the socket spring of the cartridge belt, model of 1903.

Company repair kit, model of 1903 rifle, and its components.

Company repair kit, model of 1903 rifle	\$4.50
---	--------

NOTE.—This kit will be transferred and accounted for by its components, since the number issued is liable to be changed.

Components:

1 chest	\$1.80
1 anvil and block . . . . .	.44
* 1 bullet jacket extractor . . . . .	.08
* 10 drifts, each 6 cents . . . . .	.60
(One each of Nos. 1, 2, 3, 4, 5, 6, 7, and 9, and two of No. 8.)	
1 hammer, steel . . . . .	.30
1 pair of pliers . . . . .	.30
3 screw-drivers, each 15 cents . . . . .	.45
(Nos. 1, 2, and 3.)	
* 1 set, No. 1 . . . . .	.04

* These articles may be dropped from the returns on certificate that they have been worn out or broken in the service through fair wear and tear.

PRICE LIST OF ORDNANCE STORES — (*Concluded*).

1 assembling tool	\$0.15
* 1 block, wood .....	.05
1 hammer, brass .....	.25
* 1 set, No. 2 .....	.04

NOTE.—The last three articles are for regulating the socket spring of the cartridge belt, model of 1903.

Total	\$4.50
-----------------	--------

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, *October 1, 1910.*

GENERAL ORDERS, }
No. 39. }

I. Brigadier-General George Moore Smith, commanding the 1st Brigade, N. G., N. Y., is hereby appointed a member of the Militia Council to fill the unexpired term of Brigadier-General William Verbeck, ending June 27, 1911.

Colonel William G. Bates, 71st Infantry, N. G., N. Y., is hereby appointed a member of the Militia Council to serve for the period ending June 27, 1913.

II. To correct a typographical error, section 101 of the Military Law, as printed on page 128 of General Orders No. 45, The Adjutant-General's Office, June 28, 1909, is hereby amended by inserting the word "within" in the second line after the word "time," so as to read "at any time within three years."

By Command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

* These articles may be dropped from the returns on certificate of the responsible officers that they have been worn out or broken through fair wear and tear in the service.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, October 6, 1910.

GENERAL ORDERS, }
No. 40. }

Before a general court-martial which convened at the armory of the 10th Infantry, Albany, pursuant to Special Orders, No. 103, Headquarters Division, National Guard, March 2, 1910, and of which Colonel CHARLES H. HITCHCOCK, 1st Infantry, was president, and Major GEORGE LAWYER, Judge Advocate General's Department, judge advocate, was arraigned and tried —

Musician *Everett C. Crear*, Company A, 10th Infantry.

CHARGE I. "Conduct prejudicial to good order and military discipline."

Specification 1. "In that Musician *Everett C. Crear*, Company A, 10th Infantry, N. G., N. Y., on or about the 30th day of June, 1909, while in camp with his company and regiment at Crown Point, New York, poured oil of pennyroyal upon the face and in the eyes of Private Gus Pfeiffer, Company C, 10th Regiment, Infantry, causing injuries by reason of which Pfeiffer was confined in the hospital for one day and was under medical treatment for three days."

Specification 2. "In that Musician *Everett C. Crear*, Company A, 10th Regiment, Infantry, N. G., N. Y., in or about the month of July, 1909, at the State armory in the city of Albany before a court of inquiry convened pursuant to S. O. No. 112, as amended by S. O. No. 120, and S. O. 124, c. s., A. G. O., did wilfully, falsely and corruptly testify as follows:

"Question by Judge Advocate:

"Q. And did you pour any pennyroyal on Pfeiffer at that time, (June 30, 1909)? A. No, sir."

Which testimony was false, in that said Musician *Crear* did on the 30th day of June, 1909, at Crown Point, New York, pour oil of pennyroyal upon the face and in the eyes of Private Gus Pfeiffer, Company C, 10th Regiment, Infantry, N. G., N. Y., and which testimony was known by him, the said *Everett C. Crear*, to be false, was material to the issues being tried, and was given with intent to deceive the court.

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty. Except that I admit that on or about the 30th day of June, 1909, while a musician in Company A, 10th Regiment, Infantry, N. G., N. Y., and while in camp with my company and regiment at Crown Point, N. Y., I dropped some oil of pennyroyal upon the nose of Private Gus Pfeiffer of Company C, 10th Regiment, Infantry, while the said Pfeiffer was asleep, intending thereby to practice what I considered a joke upon said Pfeiffer by causing him to be awakened suddenly by the odor of the said pennyroyal, which action on my part so injured Pfeiffer that he was confined in the hospital for one day and was under medical treatment for three days.

"But by such action I had no intention of injuring or causing pain to said Pfeiffer or of disfiguring him, but only intended to cause him some slight discomfort by reason of the odor of the said pennyroyal and did not at the time realize that the said pennyroyal was of such a nature as to cause him any bodily injury or harm."

To the 2nd *Specification*, "Not Guilty. Except that I admit that while a musician in Company A, 10th Regiment, Infantry, N. G., N. Y., and in or about the month of July, 1909, at the State armory in the city of Albany, N. Y., before a court of inquiry convened pursuant to Special Orders, No. 112, as amended by Special Orders, No. 120, and Special Orders, No. 124, c. s., Adjutant-General's Office, I testified as follows:

"Question by Judge Advocate:

"'Q. And did you pour any pennyroyal on Pfeiffer at that time?
A. No, sir,' which testimony was at that time by me believed to be technically true, although evasive, I believing that it was within my right as a witness to answer the question according to the letter thereof rather than according to the intent, I at the time in my ignorance of my real rights, distinguishing between the use of the word 'pour' and the word 'drop,' the said oil having been dropped by me from a small phial, which testimony, however, I now realize was false according to the correct interpretation of the oath administered to me, but in the giving of which testimony I had no intent of testifying falsely but was endeavoring by technical means to protect myself as far as possible by a strict interpretation of the question asked me.

"In extenuation of the offense above admitted, I would plead that subsequent to the commission of said offense and before the same court, I voluntarily made a full and fair statement of the entire matter concerning which the said testimony had been given by me and told the absolute truth concerning the same without any evasions or equivocations whatever, such subsequent testimony having been given by me for the sole purpose of putting myself right before the said court and aiding and assisting the said court in arriving at the true state of affairs regarding this matter."

To the CHARGE, "Not Guilty."

FINDINGS.

Of the 1st *Specification*, 1st Charge, "Guilty, except the words 'poured oil of pennyroyal upon the face and in the eyes' and substituting in place thereof the words 'dropped oil of pennyroyal upon the nose whereby it ran into the eyes'; of such excepted words 'Not Guilty' and of the substituted words, 'Guilty.'"

Of the 2nd. *Specification*, 1st Charge, "Guilty, except the words 'falsely and corruptly,' in line sixth of said specification and substituting in place thereof the words 'and evasively'; and except the word 'false' in line tenth of said specification, and substituting in place thereof the word 'evasive'; and except the words 'pour' and 'face and in,' in line twelfth of said specification, and substituting in place thereof the words 'nose whereby it ran into'; and except the words 'false' and 'was material to the issues being tried,' in line fifteenth of said specification, substituting for the word 'false' the word 'evasive'; of such excepted words 'Not Guilty' and of the substituted words 'Guilty.'"

Of the 1st CHARGE, "Guilty."

SENTENCE.

"To be dishonorably discharged."

The proceedings, findings and sentence in the case of Musician *Everett C. Crear*, Company A, 10th Infantry, having been forwarded for the action of the Governor, the following are his orders thereon:

EXECUTIVE CHAMBER,

ALBANY, *October 6, 1910.*

The sentence imposed by the General Court-Martial in the case of Musician *Everett C. Crear*, Company A, 10th Infantry, is approved and will be duly carried into effect.

CHARLES E. HUGHES.

The Commanding Officer, 10th Infantry, is hereby directed to carry the sentence of the court into effect.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, *October 6, 1910.*

GENERAL ORDERS, }
No. 41. }

I. Having duly qualified as Governor, I hereby assume command of the militia of the State as Commander-in-Chief and announce the following appointments:

William Verbeck, The Adjutant-General of the State, of the grade of brigadier-general.

George Curtis Treadwell, Military Secretary to the Governor, of the grade of major.

II. In accordance with section 7 of the Military Law, the following named officers of the National Guard and Naval Militia are hereby detailed as aides:

Commander Robert Pierpont Forshew, 2nd Battalion, N. M.;
Major Charles Joseph Wolf, 74th Infantry;
Major Oliver Benedict Bridgman, Squadron A, Cavalry;
Major Albert Henry Dyett, Corps of Engineers;
Major Elliott Bigelow, Jr., Signal Corps;
Major Reginald L. Foster, 12th Infantry;
Major Charles Alonzo Simmons, Assistant Adjutant-General, S. N. Y.
Captain Charles Healy, 69th Infantry;
Captain William Royde Fearn, 71st Infantry;
Captain John Henry Ingraham, 23rd Infantry;
Captain Edwin Havens Tracy, 6th Battery, Field Artillery;
Captain Lewis William Stotesbury, 7th Infantry;
Captain Daniel J. Hogan, 2nd Infantry;
1st Lieutenant James W. Wilson, 3rd Infantry;
1st Lieutenant Gaius Barrett Rich, Jr., 74th Infantry.

HORACE WHITE,
Governor.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, October 11, 1910.

GENERAL ORDERS, }
No. 42.

The following extract from General Orders, No. 178, War Department, September 24, 1910, is published for the information and guidance of all concerned. General Orders, No. 15, from this office, April 1, 1910, is amended accordingly.

GENERAL ORDERS, }
No. 178.

WAR DEPARTMENT,

WASHINGTON, September 24, 1910.

1. The first section of paragraph 6, General Orders, No. 35, War Department, February 28, 1910, is amended to read as follows:

6. Officers and enlisted men of the divisions herein created will wear on the left side of the service hat a badge in the form of a shield, the division being indicated thereon by a numeral. The badge forms a part of the uniform of the officers and enlisted men of the Regular Army and organized militia that are attached to the First Field Army, and will be worn by those officers and enlisted men, as long as they are so attached, on all occasions on which the service hat is worn. The badges will be issued gratuitously to enlisted men and at the cost price to officers. If lost, the badges must be replaced, and in the case of enlisted men the cost price will be charged against them on the muster rolls and pay rolls of the organizations to which they belong. When the service hat is not worn the division badge may be worn on the left breast of the coat immediately below the line prescribed for other badges and medals.

* * * * *

BY ORDER OF THE SECRETARY OF WAR:

LEONARD WOOD,
Major General, Chief of Staff.

OFFICIAL:

BENJ. ALVORD,
Adjutant-General.

By Command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, October 11, 1910.

GENERAL ORDERS, }
No. 43.

Attention is invited to subdivision e, section 192, Military Law,

"All monies paid for the use of an armory shall form part of the military fund of the troops quartered therein, and shall be paid by the person or officers receiving the same to the chamber-

lain of the city of New York, if the armory be situated therein, otherwise to the treasurer of the county in which the same is situated."

and the following is published for the information of all concerned:

"Monies derived from the use of armories and deposited to the credit of the military fund of an organization, are subject to the provisions of paragraphs 154 and 155, General Orders No. 11, series 1901, from this office. The words 'necessary military expenses' however, in so far as such deposits are concerned, will be construed to mean such as may, in the judgment of the commanding officer and auditing board, be for benefit of the organization. Abstract containing such items will by appropriate note show that funds derived from use of armories are available for expenditure and vouchers desired paid from such funds will bear brief certificate of commanding officers to like effect."

By Command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *October 21, 1910.*

GENERAL ORDERS, }
No. 44. }

I. Upon the recommendation of the Major-General commanding, the following regulations affecting the Coast Artillery Corps are published for the information and guidance of all concerned.

The Chief of Coast Artillery shall have supervision over the supply, maintenance and accountability for all coast artillery material and property. He shall have supervision and direction over all military instruction of commissioned officers and enlisted men of the Coast Artillery Corps. He shall appoint and at pleasure remove the members of all examining boards. He shall consult directly with the War Department, the Commanding General, Department of the East, or with the commanding officers of the Eastern and Southern Artillery Districts of New York, United States Army, upon all matters concerning the instruction and examinations herein provided for. After such consultation he shall fix the time for all examinations held to determine the proficiency of commissioned officers and the rating of enlisted men.

II. All commissioned officers of the Coast Artillery Corps below the grade of brigadier-general, shall attend such schools of instruction as

are ordered by the Chief of Coast Artillery, the course of instruction to conform to orders and circulars issued by the War Department.'

Until the completion of armory equipment and the publication of a standard to be attained by commissioned officers of the Coast Artillery Corps no annual examinations will be held to determine the proficiency of commissioned officers.

III. Master Electricians, Electrician Sergeants, first class, Master Gunners, Electrician Sergeants, second class, Firemen and Sergeants Major, senior and junior grade, shall be warranted by the Chief of Coast Artillery after examination by a board appointed by him. Such examinations shall be held during the months of May and October in each year. District Commanders shall forward direct to the Chief of Coast Artillery nominations for the expert positions mentioned in this paragraph on or before January 1st and July 1st in each year.

IV. The Chief of Coast Artillery shall upon receipt of nominations specified in the foregoing paragraph apply (through the channel) to The Adjutant-General of the Army for as many sets of examination questions as may be needed for the positions for which nominations have been made in the above grades. At the time of making application for examination papers the Chief of Coast Artillery shall fix the dates for holding such examinations and arrange for the detail and attendance of an officer of the Coast Artillery Corps, U. S. A., to represent the United States.

V. Upon the dates fixed for such examinations the examining board shall convene and shall examine the candidates upon the questions furnished by The Adjutant-General of the Army. In addition to such written examination all candidates shall be required to demonstrate their practical familiarity with the use of the various tools, appliances, implements and installations pertaining to the position or grade to which they have been nominated.

VI. Upon the completion of such examination the board shall examine and mark the examination papers and shall make up the proceedings of said board as required by the regulations and shall forward all examination papers so marked, together with a copy of its proceedings to the Chief of Coast Artillery, who, if he approves the same, shall forward said examination papers together with the proceedings of said board, direct to the commanding officer of the Artillery District, U. S. A., to which the organization of which the candidate is a member is permanently assigned.

Upon the return of said examination papers from the War Department, the Chief of Coast Artillery shall warrant all successful candidates, publish their names in orders and keep a list in his office of all such qualified or warranted men.

VII. The subjects upon which candidates will be examined as prescribed in Regulations 137 are as follows:

Sergeant-Major, Junior Grade.

a. Infantry drill regulations, school of battalion, guard mounting, posts of non-commissioned staff at ceremonies.

- b. Books, reports, records, returns and papers of the adjutant's office.
- c. Knowledge of all telephones, instruments and plotting boards used in the fire commander's station at the post to which the companies of his district are assigned.

Sergeant-Major, Senior Grade.

- a. Infantry drill regulations, school of battalion, guard mounting, posts of non-commissioned staff at ceremonies.
- b. Books, records, reports, returns and papers of the adjutant's office.
- c. Knowledge of all telephones, instruments and plotting boards used in the battle commander's station at the post to which the companies of his district are assigned.

Firemen.

General knowledge of fuel and firing, also of boilers and accessories installed at post to which the companies of his district are assigned.

Master Gunner.

Knowledge, care and repair of all parts of guns and carriages mounted at post to which the companies of his district are assigned and also knowledge of photography and drawing.

Electrician Sergeant, Second Class.

Knowledge of all electrical equipment and power installations in the post to which assigned with special reference to the care, repair and maintenance of electrical installations, lines and means of communication including the mechanical work necessary in repairing the electrical apparatus and the care and operation of searchlights and small power plants.

Electrician Sergeant, First Class.

Same as Electrician Sergeant, second class, and in addition the supervision, care and operation of a division of the electrical installations including searchlights and power plants.

Engineer.

Knowledge of power plants, use and care of oil engines, gas engines and stationary steam engines as used at the post to which assigned.

Master Electrician.

Same as Electrician Sergeant, first class, and in addition general knowledge of the repair, care and operation of the electrical and power installations of a district.

VIII. Examinations shall be held by boards appointed by the Chief of Coast Artillery, at such times as he may prescribe for the purpose of determining enlisted men who are qualified for rated positions.

Rated enlisted men of a mine command or a battery shall be appointed after examination, from duly qualified candidates, by the

artillery district commander upon recommendation of company commanders approved by the fire or mine commander.

Rated enlisted men for battle or fire command stations shall be appointed after examination, from duly qualified candidates, by the district commander on recommendation of the battle or fire commander.

IX. Records shall be kept by the Chief of Coast Artillery in the form of eligible lists of the enlisted men of each company eligible for each rated position:

X. Examinations for rated positions shall be confined to first class gunners or enlisted men who have once been classified as first class gunners. Candidates who pass with an average of seventy-five per cent. any of the examinations prescribed for rated enlisted men shall be carried on the eligible list for appointment to the corresponding rated position for a period of three years from the date of examination.

Enlisted men on the eligible list for a rated position shall be classified as first class gunners from the date of qualification and so announced in orders, and such classification shall be continued for the time they are entitled to remain on such eligible list. When a man's term of eligibility for any rated position expires he may be continued in such rated position or on the corresponding eligible list by passing a new examination for such rated position, and his classification as first class gunner shall be continued without further examination.

The same enlisted man may be carried on several eligible lists provided he passes satisfactorily the prescribed examinations for such rated positions.

XI. Prior to the examination for the rated positions of observers, first or second class, or gun pointer, the candidates shall be examined by the post surgeon for defective vision, and no candidate shall be rated for these positions who has any defect in vision which would impair his efficiency.

XII. An enlisted man holding a rated position may be disrated for cause by the Chief of Coast Artillery upon the recommendation of his company commander approved by the artillery district commander.

XIII. An enlisted man holding a rated position need not be required to take the examination for that position until the termination of the three-year period from the date of his last classification as a first class gunner, unless his qualifications for the position he holds have not been established to the satisfaction of the fire or mine commander concerned or the artillery district commander, in which case he shall be required to take the examination for that position at such time as may be prescribed by the Chief of Coast Artillery. In the event of his failure to pass satisfactorily the prescribed examination he shall be disrated immediately by the Chief of Coast Artillery.

XIV. Whenever he deems it advisable to hold examinations to establish eligible lists for rated positions, the Chief of Coast Artillery shall apply direct to the commanding general, Department of the East, U. S. A., for sets of examination questions, stating the positions to be filled, the approximate number of candidates and the dates upon which it is desired to hold the examinations.

Such examinations shall be upon the questions furnished by the commanding general, Department of the East, and such other subjects as the Chief of Coast Artillery may direct. The Chief of Coast Artillery shall arrange for the detail and attendance of an officer of the Coast Artillery Corps, U. S. A., to represent the United States.

The examination papers when completed shall be marked by the board and forwarded together with copies of the proceedings of such examination boards to the Chief of Coast Artillery, who, if he approves the same, shall forward the examination papers and proceedings of the board to the Artillery District Commander, U. S. A., of the artillery district to which the organization of which the respective candidates are members, are assigned, and upon the return of such examination papers, those candidates who have obtained an average mark of 75 per centum or more shall be entered upon the appropriate eligible list. Said eligible lists shall be published in orders by the Chief of Coast Artillery.

XV. Boards for the examination of first and second class gunners shall be appointed by the Chief of Coast Artillery and shall consist of three artillery officers, selected with reference to their special qualification for this duty; provided that when a member of the board is a company officer he shall be relieved during the examination of candidates from his company and the examination conducted by the remaining members.

XVI. A company commander desiring to send candidates before the examining board shall submit to the artillery district adjutant a duly signed list of each class, giving the full names of candidates arranged in muster-roll order, with a statement that he believes each man so presented is capable of qualifying in the class designated. These lists shall be transmitted by the artillery district commander to the senior member of the board who shall notify company commanders of the dates set for examinations.

XVII. The examination shall be held, as far as practicable, at such places as the material or equipment pertaining to the subject in hand is located.

In determining the qualifications of candidates credited shall be given for practical knowledge of subjects rather than for text-book answers to questions.

The qualifying marks for classification in each case shall not be less than an average of 75 per cent.

The board shall keep a record of its marks during all examinations, but these marks shall not be published in orders. The report of the board after the completion of each examination shall be sent to the Chief of Coast Artillery, who shall publish an order announcing the names of those who have qualified, the names being arranged for each organization in each class in muster-roll order, and reciting the date of qualification in each case.

The scope of the examinations for first and second class gunners and the relative weights to be given the same subjects are as follows:

For Candidates in Companies Assigned to Gun or Mortar Defense.

For second class gunners:

a. Service of the piece.....	25
b. Guns and carriages.....	25
c. Powders, projectiles, primers and fuses.....	25
d. Cordage, gins, shears, jacks.....	15
e. United States magazine rifle.....	10

For first class gunners:

a. The azimuth instrument.....	20
b. Duties in the plotting room.....	50
c. Aiming and laying guns or mortars.....	15
d. Definitions C. A. D. R.....	5
e. Warships	10

For Candidates in Companies and Detachments Assigned to Mine Defense.

For second class gunners:

a. Ammunition, nomenclature and service of guns to which the candidate's company is assigned.....	15
b. Material of and duties in the loading room (except electrical principles involved)	35
c. Materials for and duties on the water.....	30
d. Cordage	10
e. United States magazine rifle.....	10

For first class gunners:

a. Care and preservation of mine material.....	15
b. Handling high explosives	20
c. Knowledge and use of the azimuth instrument and plotting board	20
d. Engines, generators, transformers, storage batteries, and searchlights assigned to the company of which the candidate is a member	20
e. Operation of casemate apparatus and of telephones.....	20
f. Definitions of C. A. D. R.....	5

Enlisted men qualifying as first or second class gunners shall not be disqualified as a punishment.

XVIII. The following general regulations govern the proceedings of the examining boards herein referred to:

Each member of such board before entering upon his duties shall be sworn by the president to faithfully and impartially examine and report upon the candidates who shall be examined by the board and the recorder shall be sworn by the president to the faithful and impartial discharge of his duties as a member and recorder. The president shall then be sworn by any member who has taken the oath. If a board consists of one officer he shall be sworn as provided for a member of a delinquency court (M. L. 139).

When a return of nomination is received by the president of such examining board he shall order the person nominated to appear before the board for examination.

If a person ordered for examination fails to appear before the board and does not make satisfactory explanation of his absence his nomination shall be returned to the officer who made it.

The subjects of examination may be divided among the members of the board but before an examination on the subject is closed an opportunity to ask questions thereon must be given to each member.

The questions asked shall be of a practical character and commensurate with the grade for which the examination is held. On each subject the possible maximum mark shall be 100. The aggregate of the marks on all subjects shall be divided by the number of subjects and the result is the final mark on the examination. Candidates who fail to obtain a final mark of 75 per cent. shall be reported as unsatisfactory.

Each examining board shall keep a record showing the dates of meeting, members present, names of candidates, subjects of their examination and marks on each subject, and final mark.

When the board has concluded its examination of a candidate it shall enter its report on Form 12 and return the same, if favorable, to the officer who ordered the board; if unfavorable, to the officer who nominated the candidate.

The examination of a candidate shall cover physical condition, moral character, past record including attendance, general education, regulations and ability to command. If the examination as to physical qualifications, moral character and past record or as to any one of them be unsatisfactory the board shall not proceed further and shall report unfavorably. If satisfactory the examination shall proceed.

XIX. General Orders No. 30, The Adjutant-General's Office, May 27, 1910, are hereby revoked.

By Command of the Governor,

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

GENERAL ORDERS, }
No. 45.

ALBANY, October 22, 1910.

With a view to facilitating action on accounts presented for payment and to comply with requirements of the Comptroller of the State, the following is published for the information and guidance of all concerned.

I. Acts of the Legislature of the State making provisions for the support of the military establishment contain the following:

"The several amounts herein appropriated shall be paid by the treasurer from the respective sums as specified, pursuant to the requirement of the state finance law. * * *" (Chapter 512. Laws of 1910.)

"No warrants shall be issued, except in cases of salaries, until the amounts claimed shall have been audited and allowed by the comptroller, who is hereby authorized to determine the same, upon vouchers presented as required by section twelve of the state finance law." (Chapter 513, Laws of 1910.)

"The Comptroller shall not draw his warrant for the payment of any sum appropriated, except for salaries and other expenditures and appropriations, the amounts of which are duly established and fixed by law, until the person demanding the same presents to him a detailed statement thereof in items and makes all reports required of him by law. If such statement is for services rendered or articles furnished, it must show when, where, to whom and under what authority they were rendered or furnished; if for traveling expenses, the distance traveled, between what places, the duty or business for the performance of which the expenses were incurred, and the dates and items of each expenditure; if for transportation, furniture, blank and other books purchased for the use of offices, binding, blanks, printing, stationery, postage, cleaning and other necessary and incidental expenses, a bill duly receipted must be attached to the statement. Each statement of accounts must be verified by the person presenting the same to the effect that it is just, true and correct, that no part thereof has been paid, except as stated therein, and that the balance therein stated is actually due and owing." (Section 12, State Finance Law.)

II. An account against the State must be audited by the Adjutant-General, and then by the Comptroller of the State, before payment. The Adjutant-General may know all the circumstances connected with the account and may be fully conversant with the situation; the Comptroller, however, possesses no such knowledge and therefore, to insure the audit and payment of an account, it must not only be authorized by law, but its whole history in full and in every detail and respect must be shown, and the provisions, prescribed by the Legislature or in the Military Law, Regulations and Orders, must be complied with strictly and to the letter.

On and after this date accounts and vouchers will be examined as early as practicable after receipt and those found to be authorized, correct in form and properly executed, will be passed for audit at the end of the fiscal month, which shall be the 10th day of each month, and transmitted to the Comptroller of the State for his action on or before the 15th day. Payment may be expected on or about the 20th day. Those found to be without proper authority or irregular in form will be returned. *Vouchers received after the 10th day will be held over until the end of the next fiscal month.*

III. Vouchers should be prepared in duplicate on form No. 36, and in the preparation thereof attention is called to the following:

ACCOUNTS, VOUCHERS, ABSTRACTS AND RECEIPTS.

1. No officer of the militia, except as provided in M. L. 22, shall incur any expense whatsoever to be paid by the State without first

obtaining the authority of the Governor. To obtain this authority the officer makes application to the Adjutant-General of the State.

2. The words "extreme emergencies" occurring in M. L. 22 are construed to mean that a commanding officer in such case is authorized to purchase, provide or arrange for services and materials that are immediately necessary to provide for the care and relief of the personnel or person or protect the property of his command; a report of such action containing a statement of the services and materials purchased, provided or arranged for and the price thereof, shall be made forthwith through the channel to the Adjutant-General of the State.

3. A copy properly officialed of each order entailing or involving expense payable by the State, shall be forwarded to the Adjutant-General of the State by the officer who issues the order.

4. The fiscal year of the State closes on the thirtieth day of September, and all accounts payable from appropriations for such fiscal year should be forwarded in ample time to allow their payment before the close of that fiscal year.

5. Unexpended balances of appropriations lapse at the end of two years from the date on which such appropriations became laws, and an account, which is not paid before the appropriation, from which it is payable, is exhausted or lapses, cannot be satisfied without special legislation.

6. Accounts will be expressed in terms of dollars and cents; when fractions of less than one-half cent occur in the extension or footing of an account they will be disregarded; if the fraction be one-half or more it will be reckoned as a cent.

VOUCHERS.

7. A voucher shall set forth the name of the creditor preferring the claim; the authority for the expenditure and in detail the particulars thereof to insure the audit and payment of an account; such account must be authorized by law, but its history in full in every detail and respect must be shown upon the voucher. The provisions prescribed by the Legislature or in the Military Law, Regulations and Orders must be complied with strictly and to the letter.

8. A voucher shall be certified by the officer named as creditor or in other cases by an officer familiar with the transaction. Such certificate shall set forth that the services were rendered and materials furnished as stated and that they were necessary for the public service. The voucher shall be received by the creditor in advance of payment and verified as required by the State Finance Law.

9. The blank form provided by the Adjutant-General of the State shall be used, if practicable, by all persons who have occasion to present an account for payment. Bills made out on ordinary bill-head forms may be accepted if the particulars required by paragraph 7 and the certificate required by paragraph 8 are placed thereon. Bills on scraps of paper are inadmissible as vouchers or subvouchers.

10. Should the creditor present a bill or account on the ordinary bill-head containing numerous items such bill or account to save labor may be pasted on or attached to the voucher below the statement containing the particulars required by paragraph 7.

GENERAL VOUCHERS.

11. Where reimbursement for expenditures is sought the items shall be set out in the voucher and supported by subvouchers and to the usual certificate shall be added the words "and that I have actually paid the items above stated in the amounts above set forth."

FOR SERVICES, EXPENSES AND INCIDENTALS.

12. An officer or enlisted man on duty by order of the Governor, or by his authority, is entitled, when not on duty with troops, to his necessary traveling and other expenses and subsistence provided he has not received transportation and subsistence in kind, and pay for the time actually employed. Such officer or enlisted man shall present his account for traveling and other expenses, subsistence and pay on Form 36.

13. The pay allowed by law is defined in M. L. 210. Subsistence, including lodging, may be commuted by officers and enlisted men who are on duty by order of the Governor or under his authority but not with troops nor at their home station at the rate of \$5.00 and \$2.50 per day, respectively, provided they have not been furnished with quarters and subsistence in kind. Transportation over the shortest usually traveled route by railroad, boat or other common carrier, cab or carriage hire and transfer of baggage are allowed. Officers are entitled at public expense to a double berth in a sleeping car, seat in a parlor car or to the customary stateroom accommodations on boats where extra charge is made for the same.

14. An officer who makes disbursements for telephone or messenger service, telegrams, postage, expressage, carriage, horse hire, or other incidental expenses shall make claim for reimbursement of such expenditures in the voucher containing his account for pay, subsistence and transportation. Sub-vouchers shall be obtained whenever practicable and submitted with the voucher. *The passenger's check for sleeping and parlor car accommodations shall accompany the voucher.*

15. A voucher in duplicate for each specific duty shall be made as soon as practicable after the duty has been completed. The officer performing the duty shall submit his voucher to the officer by whose order he was detailed by name for the duty for action and transmittal direct to the Adjutant-General of the State.

The president of a court or board consisting of more than one officer shall forward together all the vouchers of the members of such court or board with a letter of transmittal enumerating them.

16. When urgent public duty has compelled travel, without authority previously obtained, the case shall be immediately reported to the Governor, whose approval in subsequent orders shall be accepted as though previously issued.

17. A voucher for service shall set forth:

1. The name, grade, office and organization of the person claiming reimbursement.
2. The nature of the duty performed, source and number of order directing the performance of the duty.
3. The date or dates on which a journey has been made.
4. The details of the journey, namely from such place to such place; railroad, parlor or sleeping-car fare; steamboat and stateroom fare;

carriage or cab-hire; cost of baggage transfer, and in like manner of the return trip; total.

5. Pay; number of years' service; dates for which pay is claimed; number of days; pay per day; total pay. (Part of a day treated as a full day.)

6. Subsistence; dates for which subsistence is claimed; total number of days; rate per day; total. (Part of a day treated as a full day.)

7. Incidental expenses (see section 14).

8. Signature to certificate, name, grade or office and organization of the person making the claim.

9. Signature to receipt of the person making the claim.

10. Action as provided in section 15.

18. The following is an example of this voucher showing the method to be followed in making it; the numbers refer to the text in the preceding section:

THE STATE OF NEW YORK,
OFFICE OF THE ADJUTANT-GENERAL,
(1) Lieut.-Colonel John A. Doe, 1st Infantry, N. G., N. Y., Dr.
ALBANY, March 20, 1910.

Date.	(2) As member of a general court-martial, S. O. 17 D. N. G., 1910:	Dollars.	Cents.
1910. (3) March 1	Railroad, \$3.10 and sleeping car berth (coupon attached), \$1.25; fare from Albany to New York city (4)	4	35
(3) " 16	Baggage at Albany, 35c.; baggage at New York city, 50c.; cab in New York city, \$1.25 (4). Railroad, \$3.10 and parlor car (coupon attached), 75c.; fare from New York city to Albany (4)	2	10
(5) " 1 to 16	Baggage in New York city, 50c.; cab in New York city, \$1.25; baggage in Albany, 35c., (4)	3	85
(6) " 1 to 16	Pay, grade of lieutenant-colonel, ten years' service, sixteen days at \$11.67 (5)	186	67
(7) " 9	Subsistence, sixteen days at \$5 (6)	80	00
(7) " 15	Telegram to president of court		75
(7) " 16	Postage		56
(7) " 10	Expressage on record of court to C. O. Nat. Guard, sub-voucher No. 1		50
	Horse hire, one day, to attend examination of locality, sub-voucher No. 2	5	00
	(10) Approved: RICHARD A. ROE, Colonel 1st Infantry N. G., N. Y. President of Gen. C. M.	285	88

I certify that the above account is correct and just, that the services were rendered and materials furnished as stated, and that they were necessary for the public service and that I have actually paid the items above stated in the amounts above set forth.

(8) JOHN A. DOE,
Lieut.-Colonel 1st Infantry, N. G., N. Y.

DISBURSEMENT RECEIPT.

Received from the treasurer of the State of New York two hundred eighty-five dollars and eighty-eight cents in full of the above account. \$285.88 (9) JOHN A. DOE.

BY COMMAND OF THE GOVERNOR:
WILLIAM VERBECK,
The Adjutant-General.

Official:
.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *October 22, 1910.*

GENERAL ORDERS, }
No. 46. }

I. The following proclamation by the Governor is published to the National Guard and Naval Militia:

STATE OF NEW YORK,

EXECUTIVE CHAMBER.

It is with sincere sorrow that I announce the death of David Bennett Hill, former Governor of the State of New York, at Albany, on this twentieth day of October, nineteen hundred and ten.

This sad event marks the close of a remarkable career. For more than thirty years David Bennett Hill was a prominent figure in the public life of the State. As Alderman, Attorney and Mayor of the city of Elmira, he became conspicuous for his strength of character and native ability. As a member of the Legislature he was active and forceful. As Lieutenant-Governor he made a deep and far-reaching impression by his talents for leadership and the skill with which he performed the duties of presiding officer. As Governor from 1885 to 1892 he gained a commanding influence in his party and won its devoted affection, while the field of his labors gave opportunity for the display of his unusual intellectual and legal attainments. The force of his personality impressed itself not only upon the people of New York, but upon the whole country, and at the expiration of his final term as Governor he became the candidate of his party in the State of New York for the presidential nomination before the Democratic National Convention. As United States Senator from 1891 to 1897 he found an ample opportunity for the exercise of his skill as a parliamentarian, his brilliant powers as an orator, and his uncommon gifts as a leader of men.

In recognition of his standing and achievements as a lawyer, he was chosen president of the New York State Bar Association for the years 1886 and 1887.

It is fitting that the State of New York, in recognition of his private character and of his public services, shall pay to his memory a tribute of honor and gratitude.

Now, Therefore, I, HORACE WHITE, Governor of the State of New York, do request that the flags upon all the public buildings of the State, including the armories and arsenals, be displayed at half staff until sundown on the day of the funeral, and that the citizens of the State unite in appropriate marks of respect to his memory.

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twentieth day of October in the year of our Lord one thousand nine hundred and ten.

HORACE WHITE.

By the Governor:

George A. Glynn,

Secretary to the Governor.

II. In respect to the memory of the late David Bennett Hill, former Governor of the State of New York, the national flag will be displayed at half staff on all armories and State arsenals, and at half mast on all vessels of the Naval Militia, until retreat of October 24, 1910, the day of his funeral.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, November 4, 1910.

GENERAL ORDERS, }
No. 47. }

I. The annual allowance for clothing to each organization of the National Guard of the State is hereby fixed for the fiscal year, October 1, 1910, to September 30, 1911, as hereinafter set forth.

II. Requisitions will be forwarded in duplicate to The Adjutant-General of the State at Albany, N. Y., quarterly on or before the first of November, February, May and August, and must be approved before being forwarded, as follows:

Requisitions from Division Headquarters, by the Division Commander;

Requisitions from Brigade Headquarters, by the Brigade Commander;

Requisitions from Infantry and Engineer organizations, by the Regimental Commander;

Requisitions from Coast Artillery Districts, by the District Commander;

Requisitions from Cavalry organizations, by the Squadron Commander;

Requisitions from Field Artillery organizations, by the Battalion Commander;

Requisitions from the Field Hospital, Signal Corps, separate troops and the separate battery need not be approved.

III. This allowance for clothing cannot be carried over to a subsequent year, and if no requisition against the allowance of an organization is received at these headquarters on or before September 30, 1911, the whole amount of said allowance to such organization will lapse on that date. Similarly the part not covered by requisitions received at these headquarters on or before September 30, 1911, will lapse on that date. Requisitions against this allowance dated on or prior to September 30, 1911, but received at these headquarters subsequent to that date will not be honored.

IV. This allowance for clothing is considered ample to meet all requirements for uniforming the enlisted strength of an organization and contemplates the carrying by organizations of clothing in excess of that required for immediate use. The full amount of the allowance should be drawn each year.

V. In making requisitions, articles constituting the service uniform should be primarily considered; secondly, articles of dress uniform, and, thirdly, such other articles as may be drawn under this allowance.

VI. Articles of clothing should not be discarded simply because articles of a like nature but of later pattern can be drawn under this allowance, but the same should be used as long as servicable or until declared obsolete in orders. The blue kersey overcoat will not be considered obsolete until October 1, 1911, and the old pattern of dress coat and trousers will not be considered obsolete until October 1, 1912.

VII. Change of organization: In case of an organization being transferred from one arm of the service to another special consideration will be given in supplying the change of dress with such modifications of the annual clothing allowance as would appear proper and just.

VIII. Issue of clothing, uniforms, etc., to new organizations: Upon the muster in the service of an organization there will be placed to the credit of such organization the money value of clothing allowance equivalent to supply the minimum enlisted strength of such an organization as prescribed in the Military Law with the service uniform complete.

The articles of service uniform to be considered in this paragraph will include the blanket, olive drab breeches, olive drab service coat, service hat, service hat cord, leggings, overcoat and poncho.

IX. Allowance for clothing to each organization of the National Guard for the fiscal year October 1, 1910, to September 30, 1911, based upon the enlisted strength of the organizations on March 31, 1910, at the rate of ten dollars (\$10), per man.

ORGANIZATION.	Enlisted strength Mar. 31, 1910.	Amount of allowance Oct. 1, 1910, to Sept. 30, 1911.
Division Headquarters	1	\$10 00
1st Brigade Headquarters	1	10 00
2nd Brigade Headquarters	1	10 00
3rd Brigade Headquarters	2	20 00
Field Hospital	48	480 00
SIGNAL CORPS:		
1st Company	84	840 00
2nd Company	57	570 00
ENGINEERS:		
22nd Regiment	738	7,380 00
CAVALRY:		
Squadron A	261	2,610 00
Squadron C	209	2,090 00
Troop B	69	690 00
Troop D	67	670 00
FIELD ARTILLERY:		
1st Battalion Headquarters	11	110 00
1st Battery	104	1,040 00
2nd Battery	101	1,010 00
3rd Battery	114	1,140 00
6th Battery	107	1,070 00
COAST ARTILLERY:		
8th Artillery District	548	5,480 00
9th Artillery District	689	6,890 00
13th Artillery District	990	9,900 00
INFANTRY:		
1st Regiment, Headquarters	38	380 00
2nd Regiment, Headquarters	69	690 00
3rd Regiment, Headquarters	60	600 00
7th Regiment	867	8,670 00
10th Regiment, Headquarters	59	590 00
12th Regiment	739	7,390 00
14th Regiment	648	6,480 00
23rd Regiment	687	6,870 00
47th Regiment	624	6,240 00
65th Regiment	582	5,820 00
69th Regiment	748	7,480 00
71st Regiment	851	8,510 00
74th Regiment	678	6,780 00

210 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	Enlisted strength Mar. 31, 1910.	Amount of allowance Oct. 1, 1910, to Sept. 30, 1911.
<i>INFANTRY (Concluded):</i>		
1st Separate Company (Co. H, 3rd Regiment)	65	\$650 00
2nd Separate Company (Co. M, 3rd Regiment)	88	880 00
3rd Separate Company (Co. G, 1st Regiment)	72	720 00
4th Separate Company (Co. G, 10th Regiment)	72	720 00
5th Separate Company (Co. L, 1st Regiment)	95	950 00
6th Separate Company (Co. A, 2nd Regiment)	75	750 00
7th Separate Company (Co. B, 2nd Regiment)	92	920 00
8th Separate Company (Co. A, 3rd Regiment)	74	740 00
9th Separate Company (Co. I, 2nd Regiment)	47	470 00
10th Separate Company (Co. E, 1st Regiment)	95	950 00
11th Separate Company (Co. H, 10th Regiment)	72	720 00
12th Separate Company (Co. C, 2nd Regiment)	66	660 00
13th Separate Company (Co. E, 65th Regiment)	74	740 00
14th Separate Company (Co. M, 10th Regiment)	84	840 00
15th Separate Company (Co. K, 10th Regiment)	66	660 00
16th Separate Company (Co. E, 10th Regiment)	45	450 00
17th Separate Company (Co. I, 10th Regiment)	96	960 00
18th Separate Company (Co. K, 2nd Regiment)	63	630 00
19th Separate Company (Co. G, 2nd Regiment)	68	680 00
20th Separate Company (Co. H, 1st Regiment)	97	970 00
21st Separate Company (Co. D, 2nd Regiment)	73	730 00
22nd Separate Company (Co. L, 2nd Regiment)	58	580 00
23rd Separate Company (Co. F, 10th Regiment)	58	580 00
24th Separate Company (Co. I, 1st Regiment)	66	660 00
25th Separate Company (Co. K, 74th Regiment)	55	550 00
26th Separate Company (Co. A, 10th Regiment)	39	390 00
27th Separate Company (Co. K, 1st Regiment)	74	740 00
28th Separate Company (Co. A, 1st Regiment)	87	870 00
29th Separate Company (Co. F, 3rd Regiment)	100	1,000 00
30th Separate Company (Co. L, 3rd Regiment)	91	910 00
31st Separate Company (Co. M, 1st Regiment)	63	630 00
32nd Separate Company (Co. M, 2nd Regiment)	71	710 00
33rd Separate Company (Co. F, 1st Regiment)	69	690 00
34th Separate Company (Co. B, 3rd Regiment)	67	670 00
35th Separate Company (Co. B, 10th Regiment)	54	540 00
36th Separate Company (Co. E, 2nd Regiment)	96	960 00
37th Separate Company (Co. F, 2nd Regiment)	74	740 00
38th Separate Company (Co. C, 10th Regiment)	35	350 00
39th Separate Company (Co. C, 1st Regiment)	72	720 00
40th Separate Company (Co. D, 1st Regiment)	71	710 00
41st Separate Company (Co. C, 3rd Regiment)	74	740 00
42nd Separate Company (Co. E, 3rd Regiment)	85	850 00
43rd Separate Company (Co. I, 3rd Regiment)	55	550 00
44th Separate Company (Co. B, 1st Regiment)	92	920 00
45th Separate Company (Co. D, 10th Regiment)	46	460 00
46th Separate Company (Co. H, 2nd Regiment)	60	600 00
47th Separate Company (Co. K, 3rd Regiment)	67	670 00
48th Separate Company (Co. D, 3rd Regiment)	66	660 00
49th Separate Company (Co. L, 10th Regiment)	61	610 00
50th Separate Company (Co. G, 3rd Regiment)	69	690 00
Total	14,408	\$144,080 00

X. Articles which may be drawn under clothing allowance, price and estimated wear of same.

ARTICLES.	Price, U. S. issue.	Price, State issue.	Esti- mated wear, years.
Badges for hats for field service, each	\$0 07	.....	.....
Blankets, woolen, olive drab, each	4 29	.....	10
Breeches, service:			
Cotton, khaki (foot or mounted), per pair	1 37	.....	2
Olive drab, woolen (foot), per pair	3 18	\$3 75	5
Olive drab, woolen (mounted), per pair	3 18	4 25	5
Caps:			
Dress, including bands (all arms), each	96	1 30	5
Khaki, service, each	75	.....	2
Olive drab, service, each	71	1 09	5
Cap bands, extra, each	18	.....	5
Chevrons:			
Dress (all arms and grades), per pair	19	.....	5
Khaki (all arms and grades), per pair	19	.....	5
Olive drab (all arms and grades), per pair	20	.....	5
Service, peace or war, per pair	09	.....	5
Coats:			
Canvas, fatigue (brown), each	1 00	.....	3
Dress (all arms), each	5 76	7 44	10
Service, cotton, khaki, each	1 58	.....	3
Service, olive drab, woolen, each	5 28	6 85	5
Cords:			
Breast (all arms), each	41	91	5
Hat (all arms), each	06	08	5
Hat (all arms), each	1 82	.....	5
Hats, service, each			
Laces:			
Breeches, per pair	01	02	3
Leggings, per pair	01½	02	2
Leggings:			
Canvas puttee, per pair	66	.....	2
Leather, per pair	2 25	.....	10
Ornaments:			
Cap, bronze (all arms), each	07	07½	.....
Cap, gilt (all arms), each	09	08½	.....
Collar, bronze buttons, letters "N. Y." each . . . . .	.....	05	.....
Collar, bronze buttons, 2 figures, each . . . . .	.....	07	.....
Collar, bronze buttons, 3 figures, each . . . . .	.....	08	.....
Collar, bronze buttons, 4 figures, each . . . . .	.....	09	.....
Collar, gilt (all arms) device, each	09	08½	.....
Collar, gilt, letters "N. Y.", each . . . . .	.....	08	.....
Overcoats, olive drab, each	15 11	.....	15
Ponchos, each	4 60	.....	5
Shirts, flannel, olive drab, each	2 94	.....	5
Shoes, russet, marching, per pair	2 87	.....	3
Slickers, for mounted troops, each	1 74	.....	5
Stripes, trouser (all arms and grades), per pair	25	.....	5
Trousers:			
Canvas, fatigue, brown, per pair	1 06	.....	3
Dress, 22 ounce, per pair	3 03	3 54	5
Khaki, foot, per pair	1 16	.....	2

NOTE 1. An extra charge will be made where special sizes of clothing are called for.
 NOTE 2. In estimating the cost of a requisition, all articles should be figured at U. S. prices except dress caps, dress coats, cap and collar ornaments and dress trousers, but the prices given on invoices and receipts will govern the actual charges to be made in all cases.

212 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

XI. Russet marching shoes are made in sizes from 5 to 12, including half sizes, and widths "B", "C", "D", "E" and "EE".

Widths.		SIZES														
		5	5½	6	6½	7	7½	8	8½	9	9½	10	10½	11	11½	12
B.....	Ball.....	7½	8	8½	9	9½	10	10½	11	11½	12	12½	13	13½	14	14½
	Waist.....	8	8½	9	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15
	Instep.....	8	8½	9	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15
	Length.....	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17
C.....	Ball.....	8½	9	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½
	Waist.....	9	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16
	Instep.....	9	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16
	Length.....	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17
D.....	Ball.....	9	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16
	Waist.....	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½
	Instep.....	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½
	Length.....	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17
E.....	Ball.....	9½	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½
	Waist.....	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17
	Instep.....	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17
	Length.....	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17
EE.....	Ball.....	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17
	Waist.....	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17	17½
	Instep.....	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17	17½
	Length.....	10	10½	11	11½	12	12½	13	13½	14	14½	15	15½	16	16½	17

XII. Sizes of olive drab flannel shirts:

SIZE.	Length from collar seam at plait to bottom.	Brest, finished.	Waist, finished.	Seat, finished.	Length of sleeve from center of yoke, including cuff.	Collar, when buttoned.	Width of cuff, buttoned.	Depth of cuff.
1.....	29½	43	41	43	32	15	9½	3
2.....	30½	45	43	45	32½	15½	9½	3
3.....	31½	47	45	47	33	16	10	3
4.....	32½	49	47	49	34	17	10	3
5.....	33½	51	50	51	35	18	10½	3
6.....	34	54	53	54	35	19	10½	3

By Command of the Governor,

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, November 4, 1910.

GENERAL ORDERS, }
No. 48. }

Upon the recommendation of the Major-General, the Regulations for the Military Forces of the State of New York promulgated July 1, 1900, and Part II of the same, "Office Duties," promulgated October 15, 1901, as respectively amended, are hereby revoked and the following Regulations for the Military Forces of the State of New York are hereby approved and promulgated in accordance with M. L. 255, and have the same force and effect as the provisions of the Military Law.

By command of the Governor,

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

TABLE OF CONTENTS.

<p>ARTICLE I. Military discipline, 1-11.</p> <p>ARTICLE II. Precedence of regiments and corps, 16.</p> <p>ARTICLE III. Rank and precedence of officers and noncommissioned officers, 21-28.</p> <p>ARTICLE IV. Command, 35-53.</p> <p>ARTICLE V. Election of officers, 56-62.</p> <p>ARTICLE VI. Appeal from an election for commis- sioned officer, 67-70.</p> <p>ARTICLE VII. Nominations for appointment as com- missioned and noncommissioned officers, 75-81.</p> <p>ARTICLE VIII. Boards to examine persons elected or nominated as officers, 86-118; Ad- jutants-General, Inspectors-General, Judge-Advocates, Quartermasters, Commissaries, Ordnance officers,</p>	<p>103; medical officers, 104; Corps of Engineers, 105; Signal Corps, 106; Cavalry, 107; Infantry, 108. Field Artillery, 109; Coast Artil- lery Corps, 110; Adjutants, Quar- termasters and Commissaries, 111; Chaplains, 112; Candidates from civil life, 113; Reports of exami- nation, 114.</p> <p>ARTICLE IX. Examination for appointment as noncommissioned officers, 125-144; Hospital Corps, 134; Corps of En- gineers, 135; Signal Corps, 136; Coast Artillery Corps, 137; Field Artillery, 138; Cavalry, 139; In- fantry, 140; Chief and principal musicians, drum-major and non- commissioned officers of bands, 141; Ordnance-Sergeant, 142; Post Quartermaster-Sergeant, 143; Post Commissary-Sergeant, 144.</p> <p>ARTICLE X. First and second-class gunners and rating and disrating of privates, 150-184; Corps of Engineers, 151; Hospital Corps, 152; Signal Corps, 153; Coast Artillery Corps, 154- 171; Field Artillery, 172-183; Lance Corporals, 184.</p>
--	--

214 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ARTICLE XI.
Commissions of officers, 187-193.

ARTICLE XII.
Appointments, warrants and reductions of noncommissioned officers, 195-198.

ARTICLE XIII.
Enlistments and re-enlistments, 205-213; enlistments, 205-212; re-enlistments, 213.

ARTICLE XIV.
Transfers, dropping and taking up of enlisted men, 220-227; transfers, 220-222; dropping of men, 223-224; taking up from dropped, 225-227.

ARTICLE XV.
Leaves of absence, furloughs and passes, 235-251; Leaves of absence and furloughs, 235-249; Passes, 250-251.

ARTICLE XVI.
Resignation of officers, 260-263.

ARTICLE XVII.
Discharge of enlisted men, 270-282.

ARTICLE XVIII.
Deceased officers and soldiers, 290-294.

ARTICLE XIX.
Posts, 300-307.

ARTICLE XX.
Division and brigades, 312.

ARTICLE XXI.
Corps of Engineers, 317.

ARTICLE XXII.
Coast Artillery Corps, 322-325.

ARTICLE XXIII.
Regiments and battalions, 330-337.

ARTICLE XXIV.
Troops, batteries and companies, 342-361.

ARTICLE XXV.
Dress, arms and accoutrements, 370-378.

ARTICLE XXVI.
Honors, courtesies and ceremonies, 383-460; General rules for outdoors and indoors, 383-406; Special rules for outdoors, 407-422; Special rules for indoors, 423-428; Salutes with cannon, 429-434; National salutes, 435; Personal salutes, 436-438; Parades, reviews and escorts of honor, 439-443;

Funeral honors, 444-457; Ceremonies, 458-460.

ARTICLE XXVII.
Small arms practice, 470-472.

ARTICLE XXVIII.
Roster, detachment and daily service, 480-505; the roster, 480-496; detachments, 497-501; daily service, 502-505.

ARTICLE XXIX.
Addresses, 510-511.

ARTICLE XXX.
Flags, colors, standards and guidons, 515-543.

ARTICLE XXXI.
Arms of the National Guard, 550.

ARTICLE XXXII.
Maps and reconnaissances, 555-558.

ARTICLE XXXIII.
Encampments, 563-584.

ARTICLE XXXIV.
Guards, 590-596.

ARTICLE XXXV.
Inspection and muster, 600-603.

ARTICLE XXXVI.
Active service, 610-617.

ARTICLE XXXVII.
In aid of civil authority, 625-638.

ARTICLE XXXVIII.
Adjutants-general, 645.

ARTICLE XXXIX.
Inspectors-general, 650-657.

ARTICLE XL.
Judge-advocates, 660.

ARTICLE XLI.
Quartermasters, 665-707.

ARTICLE XLII.
Commissaries, 715.

ARTICLE XLIII.
Ordnance officers, stores and ammunition, 720-732.

ARTICLE XLIV.
Medical officers, 740-789.

ARTICLE XLV.
Engineers, 795.

ARTICLE XLVI.
Signal officers, 800-803.

ARTICLE XLVII.

Correspondence, 810-859; Folding, 836; Briefing, 837-841; Indorsements and enclosures, 842-846; Correspondence book, 847-854; Files, 855-857; Indexing, 858-859.

ARTICLE XLVIII.

Orders, 864-890.

ARTICLE XLXIX.

Books, records and returns, 895-952; General, 895-897; Books to be kept, 898-902; Stated reports and returns, 903-904; Commanding officer of the division, 905-909; Commanding officer of a brigade, 910-917; A commanding officer of a regiment and of a battalion not part of a regiment or on duty detached from its regimental headquarters, 918-929; A commanding officer of a company, 930-939; Ordnance officers, quartermasters, commissaries and medical officers, 940-945; Ordnance officers (in addition), 946; Officers in control of armories, 947; Commanding Officers in New York City, 948; Duty outside the State, 949; Morning report, 950-952.

ARTICLE L.

Organization of new companies, 960.

ARTICLE LI.

Musters rolls, 965-969; Muster-in roll, 965-966; Muster-out roll, 967; Annual muster roll, 968-969.

ARTICLE LII.

Decorations for long and faithful service and for valor, 975-981.

ARTICLE LIII.

Public property, 985-1052; Purchases, 1006-1007; Care and responsibility, 1008-1046; Return of public property, 1047-1052.

ARTICLE LIV.

Surveying officer, 1060-1077.

ARTICLE LV.

Subsistence supplies and accounts, 1080-1146; General provisions, 1080-1083; Allowances, 1084-1087; The ration, 1088-1089; Emergency ration, 1090-1094; The travel ration, 1095-1096; Other issues of subsistence stores, 1097; Subsistence property, 1098; Purchases, 1099-1104; Vouchers, 1105-1110; Requisitions for subsistence supplies, 1111-1126;

Stores and property, 1111-1112; Ration returns, 1113-1126; Issues, 1127-1136; Savings, 1137-1138; Commutation of rations, 1139-1141; Accounting for subsistence supplies, 1142-1143; Miscellaneous, 1144-1146.

ARTICLE LVI.

Accounts, vouchers, abstracts and receipts, 1155-1230; Vouchers, 1161-1164; General vouchers, 1165; For services, expenses and incidentals, 1166-1172; For purchases, 1173-1179; Horse hire, 1180-1186; For uniform allowance, 1187-1194; Headquarters allowance, 1195-1197; Military fund, 1198-1215; For horse hire, feed and shoeing, 1216; Pay rolls, 1217-1227; Expenses of delinquency court, 1228-1229; Expenses of bond, 1230.

ARTICLE LVII.

Delinquency returns, 1235-1241; Officers, 1235; Enlisted men, 1236-1241.

ARTICLE LVIII.

Claims for pay and care for temporary disability, 1245-1249.

ARTICLE LIX.

Arrest and confinement, 1255-1274.

ARTICLE LX.

Military courts, 1280-1424; General provisions, 1280-1294; General courts-martial, 1295-1305; Challenges, 1306-1313; Oaths, 1314-1320; Pleadings, 1321-1323; Trial, 1324-1355; Findings, 1356-1360; Sentence, 1361-1371; Record of proceedings, 1372-1377; Revision, 1378-1379; Courts of inquiry, 1380-1387; Garrison courts martial, 1388-1392; Summary courts, 1393-1410; Delinquency courts, 1411-1420; Forms, 1421-1423; Form of record of revision, 1424.

ARTICLE LXI.

Boards, 1430-1441; General provisions, 1430-1435; Board to examine officers before retirement or discharge, 1436-1441.

ARTICLE LXII.

By-laws, 1445-1447.

ARTICLE LXIII.

Forms, 1450-1451.

ARTICLE LXIV.

Civilian employees, 1456.

REGULATIONS
FOR THE
MILITARY FORCES
OF THE
STATE OF NEW YORK

ARTICLE I.

MILITARY DISCIPLINE.

1. A member of the military forces owes the state and the United States two-fold duties, as a citizen and as a soldier. Of these duties neither one conflicts with the other, and conscientious performance of his duties as a soldier makes a citizen most valuable.
2. An officer and an enlisted man of the military forces of the state, is subject to the Military Law, the Regulations and orders issued by proper authority, at all times whether on duty or not.
3. All persons in the military service shall obey strictly and execute promptly the lawful orders of their superiors.
4. Superiors shall not censure their subordinate officers in the presence of other persons and shall sustain their officers and non-commissioned officers whenever possible.
5. Superiors shall not injure those under their authority by tyrannical or capricious conduct, or by abusive language.
6. Military authority shall be exercised with firmness, kindness, and justice. Punishments shall conform to law and follow offenses as promptly as circumstances permit.
7. Courtesy among military men is indispensable to discipline; respect to superiors shall not be confined to obedience on duty, but shall be extended on all occasions. Familiarity between officers and enlisted men, and between non-commissioned officers and privates, is inadmissible when on duty. Perfect civility is compatible with the exercise of the strictest command.
8. Deliberations, discussions, statements or remarks, with respect to military matters, whether oral, written or printed, by officers or enlisted men of the national guard of this state, criticising or reflecting upon others in the military service of this or of any other state or of the United States, are prohibited.
9. Communications and reports with respect to military matters by officers and enlisted men shall not be made public without the authority of the officer to whom they are rendered or superior authority and then only so much thereof as shall be expressly authorized.
10. Officers and enlisted men shall not seek legislation on military matters, or preference for themselves, except through the proper military authorities.

11. An officer or enlisted man who feels aggrieved may apply for redress to or through his immediate commanding officer. Commanding officers shall entertain such request, promptly make full inquiry into the matter and where necessary forward the result of the inquiry to next superior headquarters.

ARTICLE II.

PRECEDENCE OF REGIMENTS AND CORPS.

16. On occasions of ceremony, except funerals and reviews of large forces, troops will be arranged from right to left in line, and from head to rear in column, in the following order: First, infantry; second, field artillery; third, cavalry. Artillery, engineer, and signal corps troops, equipped as infantry, are posted as infantry; dismounted cavalry and marines attached to the army are on the left of the infantry in the order named; companies or detachments of the hospital corps and mounted detachments of engineers are assigned to places according to the nature of the ceremony; mounted companies and detachments of the signal corps are posted as cavalry. When cavalry and field artillery are reviewed together without other troops, the artillery is posted on the left. Troops in column in funeral escorts will be arranged from head to rear in the following order: First, cavalry; second, field artillery; third, infantry. In the same arm, regulars, militia in the service of the United States, and volunteers are posted in line from right to left, or in column from head to rear, in the order named. In reviews of large bodies of troops the different arms and classes are posted at the discretion of the commanding general, due regard being paid to their position in camp. On all other occasions troops of all classes are posted at the discretion of the general or senior commander.

ARTICLE III.

RANK AND PRECEDENCE OF OFFICERS AND NON-COMMISSIONED OFFICERS.

21. Military rank is that character or quality bestowed on military persons which marks their station, and confers eligibility to exercise command or authority in the military service within the limits prescribed by law. It is divided into degrees or grades, which mark the relative positions and powers of the different classes of persons possessing it.

22. Officers and non-commissioned officers shall rank in each grade by the date of rank stated in the commission or warrant; when no date of rank is specified therein, by the date of the commission or warrant.

23. The date of rank inserted in commissions or warrants shall be the date of the approval of the nomination or election, (a) in the case of officers by the governor, except that in the cases of captains in the medical corps promoted from first lieutenants after examination pursuant to M. L. 74 it shall be the date the officer became entitled to promotion under that section; (b) in the case of non-commissioned officers by the officer authorized to issue the warrant.

24. Between officers of the same grade and date of rank, or date of commission if no date of rank be specified therein, relative rank shall be determined by length of service, continuous or otherwise, as a commissioned officer in the military service of the state or United States, not counting as service time spent on any supernumerary or retired list as an unassigned officer. When periods of service are equal, precedence shall be determined, first, by rank in service when commissioned; second, by former rank in the military or naval service of the state or United States; third, by lot. In case there has been no previous service as a commissioned officer, relative rank shall be determined (a) by grade as a non-commissioned officer when commissioned; (b) by length of service, continuous or otherwise, as an enlisted man. Between non-commissioned officers of the same grade or sub-grade and date of rank, or date of warrant, if no date of rank be specified therein, relative rank shall be determined, as provided for relative rank of officers.

25. An officer nominated or elected to a position different from, but equal in grade with, the one he holds, and an officer who has been honorably discharged and renominated or re-elected within thirty days of such discharge, to a position equal in grade to that held by him before his discharge, shall retain his date of rank.

26. Brevet rank shall not entitle an officer to precedence except when he is assigned to duty under it. An officer who resigns or is discharged from the service relinquishes thereby whatever brevet commissions he holds. If recommissioned his former brevet commissions are not thereby revived.

27. The following are the grades of rank of officers and non-commissioned officers:

1. Major-General.
2. Brigadier-General.
3. Colonel.
4. Lieutenant-Colonel.
5. Major.
6. Captain.
7. First Lieutenant.
8. Second Lieutenant.
9. Veterinarian, cavalry and field artillery.
10. (a) Sergeant-major, regimental; sergeant-major, senior grade, coast artillery corps; (b) master electrician, coast artillery corps; master signal electrician; chief musician; (c) engineer, coast artillery corps.
11. Ordnance sergeant; post commissary-sergeant; post quartermaster-sergeant; sergeant, first class, hospital corps; first-class signal sergeant; electrician sergeant, first class, coast artillery corps.
12. Quartermaster-sergeant and commissary-sergeant, regimental; electrician sergeant, second class, coast artillery corps; master gunner, coast artillery corps.
13. Sergeant-major, squadron and battalion; sergeant-major, junior grade, coast artillery corps; color sergeant; battalion quartermaster-sergeant, engineers and field artillery.

14. (a) First sergeant; drum major; (b) principal musician; chief trumpeter.

15. Quartermaster-sergeant, company.

16. Sergeant; stable sergeant.

17. (a) Corporal; (b) fireman, coast artillery corps.

28. The relative rank of officers, non-commissioned and petty officers of the national guard and naval militia approximate as follows:

National Guard.	Naval Militia.
Brigadier-general	Commodore.
Colonel	Captain.
Lieutenant-colonel	Commander.
Major	Lieutenant-commander.
Captain	Lieutenant.
First lieutenant	Lieutenant, junior grade.
Second lieutenant	Ensign.
Regimental sergeant major	{ Master-at-arms. Chief boatswain's mate. Chief yeoman.
Ordnance sergeant	{ Chief gunner's mate. Hospital steward.
First class signal-sergeant	Chief quartermaster.
Regimental commissary sergeant	Paymaster's yeoman.
Electrician sergeant, first class	Chief machinist.
Chief musician	Bandmaster.
Principal musician	Chief musician.
First sergeant	{ Boatswain's mate. Gunner's mate. Quartermaster.
Sergeant	{ Gun captain, first class. Water tender.
Corporal	{ Gun captain, second class. Oiler.

ARTICLE IV.

COMMAND.

35. Command is exercised by virtue of office and the special assignment of officers holding military rank who are eligible by law to exercise command. Without orders from competent authority an officer cannot put himself on duty by virtue of his commission alone, except as contemplated in the 24th and 122nd articles of war.

36. The following are the commands appropriate to each grade:

For a captain, a company.

For a major, a battalion.

For a lieutenant-colonel, a regiment or a battalion.

For a colonel, a regiment.

For a brigadier-general, a brigade.

For a major-general, a division.

37. The designation "company," as used in these Regulations, applies to troops of cavalry, batteries of field artillery, field hospitals, detachments of the hospital corps, and to companies and bands of all arms and corps. The designation "battalion" applies in like manner to squadrons of cavalry.

38. The functions assigned to an officer by title of office devolve upon the officer acting in his place, except when otherwise specified. An officer in temporary command shall not, except in urgent cases, alter or annul the standing orders of the permanent commander, without authority from the next higher commander.

39. An officer who succeeds to any command or duty stands, in regard to his duties, in the same situation as his predecessor. The officer relieved shall turn over to his successor all orders in force at the time, and all the public property and funds pertaining to his command or duty, and shall receive therefor duplicate receipts showing the condition of each article.

40. Whenever different organizations happen to join or do duty together, the officer of the line highest in rank, present and on duty, commands the whole.

41. When an officer is charged with directing an expedition or making a reconnaissance, without having command of the escort, the commander of the escort shall consult him touching all arrangements necessary to secure the success of the movement.

42. An officer placed in command of a post, detachment, guard or separate force, shall not surrender his command to another officer unless regularly relieved, except in case of sickness or inability to perform his duty, when the senior officer present entitled to command will succeed to the command.

43. Officers of staff corps and departments assigned to the command of an officer are under his supervision and control in all matters pertaining to or affecting the command.

44. A commanding officer, may, within the limits of his command, detail officers to temporary duty, provided, however, (a) that an officer shall not be detailed for more than ninety days in a calendar year as adjutant, quartermaster, commissary or ordnance officer until he has passed the prescribed examination therefor; and (b) that an adjutant, quartermaster or commissary shall not be detailed to line duty for more than ninety days in a calendar year until he has passed the examination prescribed for the grade in the line to which he is detailed.

45. In a command where the appointive system of choosing officers exists officers are subject to temporary detail as provided in the preceding section and also to detail indefinitely within the limits of the command to such duties and for such periods as the commanding officer thereof may determine, provided however that the right of detail under this section shall be subject to the same limitations as to continuance without examination as are provided in the preceding section.

46. In a command where the elective system of choosing officers exists officers are subject to temporary detail as provided in section 44, but not to detail indefinitely and the appointive officers allowed for

staff duty of such commands are subject to temporary detail to fill appointive positions as provided in the said section, and also to detail indefinitely to fill appointive positions within the limits of the command subject to the same limitations as to continuance without examination as provided in section 44.

47. An officer of a company elected or nominated to an office of the same grade in another company of the same command, may be transferred by the governor on receipt of the return of election or nomination and in such cases requires no new commission.

48. An officer of the corps of engineers not on duty with engineer troops, or of the ordnance, the adjutant-general's, inspector-general's, judge-advocate-general's, quartermaster's, or subsistence department, or signal corps, though eligible to command, according to his rank, shall not assume command of troops unless put on duty under orders which specially so direct, by authority of the governor.

49. An officer of the medical department cannot exercise command, except in his own department; but any staff officer, by virtue of his commission, may command all enlisted men like other commissioned officers.

50. An officer cannot exercise command by virtue of a brevet commission, except when assigned to duty under it by authority of the governor.

51. When a commanding officer leaves his station, or command, he shall notify his immediate superior and the subordinate officer next in command of the fact and of the probable duration of his absence.

52. When orders requiring immediate action are received or the preservation of discipline requires immediate action the senior officer present entitled to command shall assume command and issue the necessary orders and transmit forthwith to the permanent commander notice of the orders received and issued.

53. An officer called temporarily to a higher command shall notify his immediate superior and the subordinate officer next in command and the latter shall thereupon assume command.

ARTICLE V.

ELECTION OF OFFICERS.

56. A commanding officer of a command, corps or district in which there exists a vacancy to be filled by election, if not authorized to order an election, shall in writing, addressed to the officer authorized to order the same, request that an election be held, stating the vacancy existing, how it was made and recommending a date, place and time for holding the same.

57. When a vacancy exists in an office to be filled by election the proper officer shall, in his discretion, issue an order directing when and where the election shall be held, and who is to preside thereat; of this order one copy shall be transmitted to the officer designated to hold the election, one copy to the officer directed to give notice to the electors, usually the commanding officer of the organization, and one copy retained for the order-book.

58. An election shall be held only for a vacancy existing at the time the order is issued.

59. The officer ordering an election shall give or cause to be given at least five days' notice of the election (M. L. 76), which shall be served on the persons entitled to vote thereat in the manner authorized by M. L. 117 and return of service shall be made as prescribed in M. L. 76.

60. The paper for ballots used at an election shall be furnished by the presiding officer at the expense of the organization in which the election is held. Paper for a ballot shall be plain white of sufficient thickness that writing shall not show through; the size of the ballot shall be four by five and one-quarter inches, it may be written or printed and before deposit shall be folded lengthwise in three equal folds.

61. The officer who presides at an election shall forward direct to the officer who ordered the same a return of the election, accompanied by a copy of the order under which he acted, the return of service of notice to electors, the list of qualified and disqualified voters and the acceptance of the candidate elected, or a statement showing that he has declined or failed to accept. If there be an acceptance the officer (other than a general officer) receiving the return shall forward the same to the general officer in whose brigade or command the elected officer will serve.

62. The following is the form of notice and acceptance of election:

ARMORY, *1st Infantry*, N. G., N. Y.

No. 1 *First Avenue*, Albany, January 2, 1910.

Second Lieutenant John A. Doe,

SIR.—At an election held this day, pursuant to orders received by me, you were duly chosen to fill the position of *First Lieutenant* in the *1st Infantry*, N. G., N. Y. I hereby notify you of your election, and request that you will signify to me your acceptance thereof within ten days after the receipt of this notice, otherwise you will be considered as declining the same.

Respectfully,

RICHARD A. ROE,

Major, 1st Infantry,

Presiding Officer.

First Indorsement.

No. 1 *First Street*,

Albany, N. Y., January 3, 1910.

Respectfully returned. I accept the office to which I have been elected. The address of my place of business is *No. 1 First street*; of my residence *No. 2 Second avenue*, Albany, N. Y.

JOHN A. DOE,

Second Lieutenant, 1st Infantry.

ARTICLE VI.

APPEAL FROM AN ELECTION FOR COMMISSIONED OFFICER.

67. A person who appeals from an election shall forward, to the officer who presided thereat, within ten days from the date on which the election took place, a statement of the grounds of appeal under M. L. 77.

68. An officer who receives a notice of appeal from an election, shall upon receipt of a statement of the grounds of appeal, and in any event within ten days from the date of election, forward the same to the officer who ordered the election, with a statement of facts and the proceedings of the election.

69. When an appeal has been taken, the officer who ordered the election, on receiving the papers forwarded, shall promptly investigate the facts alleged as grounds of appeal or cause them to be investigated and shall forward a report thereon with the papers relating to the election.

70. The form of oaths administered, and of subpoenas and process used, by an officer designated by the governor to take testimony on such an appeal, shall follow substantially the forms prescribed for general courts-martial.

ARTICLE VII.

NOMINATIONS FOR APPOINTMENT AS COMMISSIONED AND NON-COMMISSIONED OFFICERS.

75. Nominations for appointment as commissioned officers shall be made on Form 11 and forwarded to the officer authorized to refer the same to an examining board as hereinafter provided. Nominations for appointment in the adjutant-general's, judge-advocate-general's, quartermaster's, subsistence and ordnance departments and of officers of infantry shall be referred by the commanding officer of the brigade to the examining board for the brigade if the nominee is to serve on a brigade staff or with an organization attached to a brigade. All other nominations shall be referred by the commanding officer of the division to the examining board of the corps, department or arm of the service to which the nomination is made except where special boards are appointed. When a first lieutenant of the medical corps is about to become eligible for promotion to captain under M. L. 74 the chief surgeon, division, shall report the fact to the commanding officer of the division, using Form 11 which shall be treated as a nomination.

76. A commanding officer who desires to have an officer permanently assigned shall in writing request that such officer be examined for the position or office to which he is to be assigned, unless he has already passed the examination prescribed for such position or office. Such request shall be addressed and forwarded to the officer who, in the event of an original nomination, would refer the same to an examining board and he shall refer the same to the proper board.

77. A general officer who desires the detail of an officer on the active list as an aid, shall in writing request the governor to make such detail. This application shall be accompanied by the request of the officer, whose detail is asked for, to be placed upon the supernumerary list in order to accept such detail.

78. Nominations for appointment as non-commissioned officers shall be made on Form 12, which shall be accompanied by a report of physical examination on Form 1, unless it appear on Form 12 that the nominee has been so examined within three years previous to the date of nomination.

79. Nominations for appointment as departmental or other non-commissioned staff officers, including those of the hospital corps, shall be referred by the officers making the nominations to the proper examining board (M. L. 99). The nomination of a person as a non-commissioned officer shall be forwarded to the officer authorized to issue the warrant, who shall refer such nomination to the proper examining board.

80. In making nominations christian names shall be written without abbreviation and the present military office and grade, if any, shall be stated.

81. A nomination shall be made only for a vacancy existing at the time.

ARTICLE VIII.

BOARDS TO EXAMINE PERSONS ELECTED OR NOMINATED AS OFFICERS.

General Provisions.

85. An officer ordered by reason of promotion before an examining board of the same arm of the service within six months after passing a previous examination shall be exempt from examination except as to the additional subjects or parts of subjects required for the position or office to which he is promoted.

86. When a return of nomination or proceedings of election is received by the president of an examining board he shall examine the papers, verify the number of inclosures and order the person nominated or elected to appear before the board for examination. The order of the president is made on Form 10 which shall be sent direct and its receipt immediately acknowledged direct.

87. A majority of all the authorized members of a board but in no event less than three, shall be necessary to make a quorum. The board may upon its own motion or at the request of a candidate postpone his examination once but for not more than thirty days unless specifically authorized by the officer appointing the board. If a person ordered for examination fail to appear before the board and does not make satisfactory explanation of his absence, the board shall return the papers to the officer referring them and state that the person was ordered to appear before the board, that he failed to appear and did not make satisfactory explanation. If such person fail to make, within ten days after his failure to appear, satisfactory explanation for such absence to the officer to whom such papers are returned, he shall be deemed to have declined the office to which he was nominated or elected and notice of the fact shall be given to the officer who made the nomination or ordered the election.

88. Examinations shall be conducted with thoroughness and with a view to determine the candidate's fitness, his knowledge, and his ability to practically apply the same.

89. Form 10, statement of eligibility and fitness, shall be filled in by the candidate before the time fixed for his examination, but it shall be signed by him only in the presence of and by direction of the board. The exact dates of previous military service must be given and an officer nominated or elected for the first time shall file with the examining board to be transmitted with the other papers in his case official transcripts from competent authority covering such prior service.

90. The members of an examining board shall be sworn by the president faithfully and impartially to examine and report upon the candidate to be examined and the recorder shall then be sworn by the president to a faithful and impartial discharge of his duties as a member and as recorder. The president shall then be sworn as a member, by any member who has taken the oath. Members may be challenged for cause stated to the board, the relevancy and validity of which shall be determined according to the procedure of courts-martial. The record of the board shall show that the right to challenge was accorded. If the number of members is reduced by challenge or otherwise below a quorum, or if a challenge to a medical officer where but one is a member, is sustained, the board shall adjourn the examination and report the facts to the officer appointing it for necessary action.

91. If, in the opinion of the board, it becomes essential to take oral testimony, the facts shall be reported to the officer appointing the board with a request for authority to incur the necessary expense.

92. Candidates shall be examined singly and apart from each other in the presence of the board. All public proceedings shall be in the presence of the officer under examination; the conclusions reached and the recommendations entered in each case shall be regarded as confidential.

93. Upon the appearance of a candidate for examination the members of the board shall be sworn in his presence. The candidate shall then present to the board his statement of eligibility and fitness and shall be sworn to testify truly as to the answers to the questions therein contained, after which the board shall proceed to the examination of the candidate as to the answers to said questions, upon the conclusion of which he shall sign the statement in the presence of the board. In addition to the testimony of the candidate, the board may require such other evidence as it may deem necessary. The board shall thereupon determine the eligibility of the candidate.

94. If the candidate is found to be ineligible the board shall return the papers to the officer who referred the same, with a statement of the facts and the finding of the board thereon.

95. If the candidate is found eligible his further examination shall be conducted in the following order: (1) as to physical condition, (2) as to general efficiency, (3) as to professional fitness.

96. Physical condition.—The medical officer shall make a thorough examination of the candidate and shall report his opinion in writing to the board on Form 1.

All questions relating to the physical fitness of an officer shall be determined by the board.

Candidates for commissions from civil life shall possess the physical qualifications required of men desiring to enlist, except as to age. Candidates for commissions if in the service shall possess the physical qualifications required of men desiring to re-enlist, except as to age.

97. General efficiency.—This shall embrace (a) moral fitness, (b) general knowledge and (c) fitness as regards general efficiency.

a. Moral fitness.—In the absence of any detrimental reports, all candidates for examination shall be presumed to be of good character and testimonials and letters need not be required.

b. General knowledge.—The subjects of this part of the examination shall be (1) knowledge of the English language and ability to read and write it with facility and correctness; (2) geography, particularly of the State of New York; (3) arithmetic and ability to apply its rules to practical questions, and (4) history, particularly of this country.

A candidate who holds a commission in the military or naval service of this State shall be exempt from this part of the examination.

This part of the examination may be omitted in the case of candidates who are graduates of normal or high schools of this State or of an incorporated college or university in either the academic or scientific courses thereof.

c. Fitness as regards general efficiency.—The use a candidate for examination has made of his opportunities in the past, his ability to apply practically his professional knowledge, and his general trustworthiness and ability in the performance of his official duties shall be taken into consideration. To this end, whenever a candidate is ordered for examination for promotion, the commanding officer under whom he is serving and the commanding officer of his regiment (in the case of a coast artillery candidate, the artillery district commander), and if the candidate be a medical officer, also the senior medical officer of the regiment, squadron and station at which he is serving, shall without further instructions, furnish to the examining board, in writing, a concise statement of the use the candidate has made of his opportunities for perfecting himself in his professional duties, of his appreciation of his responsibilities as an officer, and of his efficiency in control of troops and his power of commanding men. In case the statement contains facts showing any disqualifications or failure on the part of a candidate in these respects, a copy of the statement shall be furnished to him at the time it is made. In the absence of evidence to the contrary from authoritative sources, a candidate's fitness as to general efficiency shall be presumed.

98. Examinations in all subjects shall be practical and ordinarily oral, except as otherwise provided in this article, or required, by the nature of the subject.

The examination of a candidate shall take place before all the members of the board present, except that during the examination of candidates other than those of the medical corps the medical officer shall be present and participate in the examination as to physical fitness, general efficiency and military hygiene but need not be present and shall not participate, rate or be counted to make a quorum in examinations on other subjects.

The subjects of the examination may be divided into subdivisions, one or more of which may be allotted to each member of the board, who shall prepare questions on the subject. When the examining member has finished, an opportunity shall be afforded by the president to the other members of the board to ask additional questions on the subject, if they desire to do so. Each member of the board shall rate on each subject on which he is entitled to examine whether he asks questions upon it or not, using one hundred as a maximum mark. The final mark on the subject shall be the aggregate of the marks in that subject divided by the number of members rating. Each subdivision of an examination to which a weight is attached shall constitute a subject.

The mark on each subject shall be multiplied by the weight of that subject and the aggregate results shall be divided by the total of the weights, and the quotient shall be the final mark on the examination.

A candidate must obtain a final mark of at least seventy-five per cent. on his examination in order to be reported favorably—except a candidate from civil life.

No examination shall be held on any subject for which no weight is prescribed herein.

No rating shall be given on a subject on which no examination is held.

99. Written examinations shall be conducted by and in the presence of at least one member of the board. Where blackboard or other illustrations will facilitate the oral or practical examinations their use is authorized.

100. If the candidate examined fail in any one of the qualifications, prescribed in section 96, and subdivisions (a) and (c) of section 97, the board shall suspend the examination and report its finding; if satisfactory, the examination shall proceed.

101. On all subjects questions shall be commensurate to the grade and office for which the candidate is examined, and of a practical nature.

102. Professional fitness.—All persons ordered before an examining board except those hereinafter specifically excepted shall be examined in the following subjects:

a. The Military Law.—Sections 1, 5, 6, 7, 12, 13, 14, 22 of article I; articles II, IV, V, VI; sections 235 to 241 inclusive of article XI; and sections 250 to 257 inclusive of article XII.

b. The Regulations.—Articles I, II, III, IV and XLVII and such additional articles, books, papers, returns and accounts as relate to the grade or office for which the candidate is examined.

c. Organized Militia Regulations.—Sections 1 to 5 inclusive of article I; section 8, subdivisions 4, 5 and 15 and sections 250, 251.

d. Infantry Drill Regulations.—Paragraphs 523 to 533 (Manual of the Sabre).

e. Field service regulations, commensurate to grade and office.

f. Military hygiene to be sufficiently extended to determine whether the candidate is familiar with the subject as treated in the authorized text-book.

g. General knowledge of the parts of the rifle and method of removing the bolt for cleaning.

103. Adjutants-General, Inspectors-General, Judge-Advocates, Quartermasters, Commissaries, Ordnance Officers.

I. General knowledge.—For all, the same subjects as for infantry officers of the same grade with the same weights.

II. Professional fitness as stated in section 102.

	Weights.					
	Adjut. Gen.	Inspt. Gen.	J. A.	Q. M.	Com-missary.	Ordnance Officer.
a. The Military Law.....	4	4	0	1	1	1
b. The Regulations	6	6	0	2	2	2
c. Organized Militia Regulations	4	4	0	1	1	1
d. Infantry Drill Regulations; (Manual of the Sabre)..	1	1	1	1	1	1
e. Field Service Regulations..	6	4	1	4	4	4
f. Military Hygiene	1	4	0	4	2	1
g. Knowledge of the Rifle....	1	3	0	1	0	0

III. Additional subjects.—

	Adjutant-General.	Weight.
a. Drill regulations.—Evolutions of a regiment, brigade and division; extended order; ceremonies.....		4
b. Guard duty		2
c. Administrative duties of all staff departments.....		4
d. Horsemanship, elementary and practical.....		1
Inspector-General.		
a. Drill regulations — all		4
b. Guard duty		4
c. The Regulations — all		4
d. Uniform regulations		6
e. Horsemanship, elementary and practical.....		1
Judge-Advocate.		
a. The Military Law and The Regulations of the State.....		6
b. Laws and Regulations of the United States relating to the Militia		4
c. U. S. manual for courts-martial.....		6
d. Use of the military in aid of civil authority.....		5
e. Military law		3
f. Martial law		2
g. Law of war, especially article XI, F. S. R.....		1
h. Horsemanship, elementary and practical.....		1
Quartermaster.		
a. Drill regulations, title "Camping".....		4
b. The Regulations so far as relate to his department.....		6
c. Manual Quartermaster's Department, U. S. A.		5
d. Horsemanship, elementary and practical, and care and inspection of public animals.....		5

Commissary.		Weight.
a. The Regulations so far as relate to his department.....		6
b. Manual Subsistence Department, U. S. A.		6
c. Care and preservation of subsistence stores.....		6
d. Horsemanship, elementary and practical.....		1

Ordnance Officer.		
a. Drill regulations, loadings and firings, fire discipline.....		3
b. The Regulations so far as relate to his department.....		6
c. Care and preservation of ordnance property and particularly ammunition		6
d. Regulations for small arms firing.....		6
e. Horsemanship, elementary and practical.....		1
f. Nomenclature of the rifle and the method of removing and dissembling and assembling the bolt action.....		6

104. Medical Officers.

Medical officers shall be exempt from examination on the subjects stated in section 102, except as required herein.

First Lieutenant.		
a. General medicine		1
b. General surgery		1
c. Diagnosis and treatment of diseases and injuries to which troops are particularly liable.....		1
d. Hygiene, camp and personal.....		2
e. The Military Law, as stated in section 102(a).....		1
f. The Regulations, as stated in section 102(b).....		1
g. The Regulations, Article XLIV.....		1
h. The Regulations, posts and general duties of medical officers ..		1
i. Horsemanship, elementary and practical.....		1
j. Infantry Drill Regulations as stated in section 102(d)....		1

Captain.		
a. Hygiene of troops and camp sanitation.....		6
b. The Military Law, The Regulations, Field Service Regulations, Organized Militia Regulations, all that relates to the duties of a medical officer, including correspondence and care of property.....		5
c. Drill Regulations of Hospital Corps.....		5
d. Horsemanship and elementary hippology.....		4

Major or Lieutenant-Colonel; A. If on promotion from First Lieutenant or Captain.

a. Hygiene of troops and camp sanitation.....	2
---	---

b. The Military Law, The Regulations, Field Service Regulations, Organized Militia Regulations, all that relates to the duties of a medical officer, including correspondence and care of property	4
c. Drill Regulations of Hospital Corps.....	1
d. Horsemanship and hippology.....	1
B. If from civil life, in addition to subjects given in A.	
e. General medicine	1
f. General surgery	1
g. Infantry Drill Regulations as stated in section 102 (d)....	1

105. Corps of Engineers.

a. The same subjects, with the same weights, that are specified for infantry of the same grade. The result of this part of the examination shall be computed similarly as for the final mark, as set forth in the fourth paragraph of section 98; this result, if equal to at least 75%, shall be given a weight of 11 and shall be used in computing the final mark of the examination. If this result is not equal to 75%, however, the candidate shall be rejected forthwith.

b. Knowledge of and ability to apply the more advanced and comprehensive principles of arithmetic; weight, 3. If the candidate, however, shows a marked deficiency in this subject, he shall be rejected forthwith.

c. Knowledge of the contents of the Engineer Field Manual (Professional Papers of the Corps of Engineers, U. S. A., No. 29), parts I to VI, inclusive, with particular attention to the following subjects:

	Weight
1. Use of compass and Cavalry Sketching Case.....	2
2. Map reading and making, with special reference to scales, conventional signs and contours	2
3. Knots and Lashings.....	1
4. Ponton Bridges	2
5. Revetments	1
6. Obstacles	1
7. Demolitions	1
8. Roads	1

As the instruction and opportunity to become proficient in the above subjects for candidates previously commissioned or nominated from the ranks will necessarily be progressive, and may depend upon the length of prior service of the candidate, the Board shall take this into consideration and be governed accordingly in this part of the examination. If a candidate shows that he has not a satisfactory knowledge, which he has had opportunity to acquire, of any of the above subjects, or in which subject he has had specific instruction, he shall be rejected as unfit for commission or promotion. Candidates from civil life shall be required to undergo examination upon the elementary and fundamental parts of the above subjects.

106.

Signal Corps.

- I. General knowledge, same as infantry of same grade with the same weights.
- II. Professional fitness as stated in section 102.

	Weights.		
	1 Lt.	Captain	Major or Lt. Col.
a. The Military Law.....	1	2	1
b. The Regulations	2	3	3
c. Organized Militia Regulations.....	2	3	3
d. Drill Regulations (Manual of the Sabre)	1	1	1
e. Field Service Regulations.....	2	3	3
f. Military Hygiene	1	1	1
g. Knowledge of the Rifle.....	1	1	1

III. Additional subjects.

	First Lieutenant.	Weight.
a. Signal troops in campaign; tactical and strategical lines of information in war.....		1
b. Visual signaling; theoretical and practical.....		4
c. Power. (1) Electricity, including dynamos, motors, batteries, transmission of power. (2) Steam boilers and engines. (3) Gas and oil engines.....		4
d. Telegraphy and telephony, including wireless. To be sufficiently extended to determine whether the officer being examined is familiar with these subjects and with the principles governing their application to electric lines of communication, as well as his ability to construct and operate such lines		4
e. Military aeronautics. (1) Aerostation. (2) Aviation....		1
f. Communications and fire control for field and seacoast artillery		1
g. Photography and topography. (1) Photography. (2) Map reproduction under field conditions. (3) Map reading and sketching		2
h. Essay. An essay not to exceed three thousand words on some professional subject having relation to the duties of the Signal Corps. It will be permissible to submit an essay which has been written within one year previous to the date of the examination.....		2
i. Drill regulations to and including the school of the troop..		3
j. Regulations for small arms firing.....		2
k. Guard duty		2
l. Minor tactics. The advance guard; outposts; reconnaissance; the cavalry screen; rear guards; orientation and map reading		2
m. Hippology. The cavalry horse; age of horses; endurance of horses; gaits of the horse; bits; biting and training; saddles; seats; stable management; forage.....		1

	Captain.	Weight
a.	Signal troops in campaign; tactical and strategical lines of information in war.....	1
b.	Visual signaling; theoretical and practical.....	2
c.	Power. (1) Electricity, including dynamos, motors, batteries, transmission of power. (2) Steam boilers and engines. (3) Gas and oil engines.....	5
d.	Telegraphy and telephony, including wireless. To be sufficiently extended to determine whether the officer being examined is familiar with these subjects and with the principles governing their application to electric lines of communication, as well as his ability to construct and operate such lines.....	6
e.	Military aeronautics. (1) Aerostation. (2) Aviation....	1
f.	Communications and fire control for field and seacoast artillery.....	1
g.	Photography and topography. (1) Photography. (2) Map reproduction under field conditions. (3) Map reading and sketching.....	3
h.	Essay. An essay not to exceed three thousand words on some professional subject having relation to the duties of the Signal Corps. It will be permissible to submit an essay which has been written within one year previous to the date of the examination.....	2
i.	Drill regulations including the school of the squadron, also knowledge of marches, camping, stable duty, ceremonies and packing.....	3
j.	Regulations for small arms firing.....	1
k.	Guard duty.....	1
l.	Minor tactics. Characteristics of the three arms; infantry in attack and defense; cavalry in attack and defense; artillery in attack and defense.....	3
m.	Hippology. To include judging horses for conformation, soundness and age.....	1

Major or Lieutenant-Colonel.

a.	Signal troops in campaign; tactical and strategical lines of information in war and minor tactics. A military map being furnished and a problem announced, the officer under examination will prepare orders for troops and indicate on the map such lines of communication as would be demanded under conditions assumed for the problem.....	4
b.	Methods and means of communication. To be sufficiently extended to determine whether the officer is familiar with the principles governing the construction, maintenance and operation of visual and electrical lines of communication, as well as his ability to construct and operate such lines.....	6
c.	Military aeronautics. (1) Aerostation. (2) Aviation....	1
d.	Drill regulations to and including evolutions of a regiment.	2

107. Cavalry.

I. General knowledge, same as infantry of same grade with the same weights.

II. Professional fitness as stated in section 102.

	Weights.				Col.
	2d Lt.	1st Lt.	Capt.	Maj. & Lt. Col.	
a. The Military Law	1	1	2	5	5
b. The Regulations	2	2	2	5	5
c. Organized Militia Regulations..	1	1	1	2	1
d. Drill Regulations, (Manual of the Sabre).	1	1	1	1	1
e. Field Service Regulations	2	2	4	4	4
f. Military Hygiene.....	2	2	4	1	1
g. Knowledge of the Rifle.....	1	1	1	1	1

III. Additional subjects.

Second Lieutenant.

Weight.

a. Drill regulations to and including school of the troop, close and extended order.....	6
b. Guard duty	5
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....	5
d. Principles of map reading, of advance and rear guards and outposts	3
e. Hippology	3
f. Horsemanship, elementary and practical.....	2

First Lieutenant.

a. Drill regulations to and including school of the troop, close and extended order.....	6
b. Guard duty	5
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....	5
d. Principles of map reading, of advance and rear guards and outposts	4
e. Problems in minor tactics.....	2
f. Hippology	3
g. Horsemanship, the cavalry horse; age and endurance of horses; gait; bits, biting and training; saddles, seats, stable management, forage.....	3

Captain.

a. Drill regulations to and including school of the squadron..	6
b. Guard duty	4
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....	5
d. Principles of map reading, of advance and rear guards and outposts and reconnaissance.....	5

	Weight.
e. Problems in minor tactics.....	3
f. Hippology	4
g. Horsemanship, entire subject.....	4

Major and Lieutenant-Colonel.

a. Drill regulations to and including evolutions of a regiment, close and extended order.....	4
b. Guard duty	2
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....	5
d. Map reading, advance and rear guards and outposts and reconnaissance	6
e. Minor tactics. A tactical problem to be given by the board. The officer being examined to explain the orders for the troops and to indicate on a military map the positions of the troops for such action as would be demanded under the conditions of the problem.....	4
f. Organization and administration.	5
g. Hippology	4

Colonel.

a. Drill regulations — entire	2
b. Guard duty	2
c. Regulations for small arms firing, fire discipline—entire subject	2
d. Map reading, advance and rear guards and outposts and reconnaissance	6
e. Minor tactics. A tactical problem to be given by the board. The officer being examined to explain the orders for the troops and to indicate on a military map the positions of the troops for such action as would be demanded under the conditions of the problem.....	4
f. Organization and administration; use of the three arms combined	5
g. Hippology	7

108.

Infantry.

I. General knowledge as stated in section 97(b).

	Weights.			
	1st & 2d Lts.	Cap- tain.	Major & Lt. Col.	Col.
a. Reading and writing.....	2	2	2	2
b. Geography	1	1	1	1
c. Arithmetic	2	2	2	2
d. History	1	1	1	1

II. Professional fitness as stated in section 102.

	Weights.			
	1st & 2d Lts.	Cap-tain.	Major & Lt. Col.	Col.
a. The Military Law.....	1	2	3	5
b. The Regulations	2	2	4	5
c. Organized Militia Regulations.....	1	1	2	2
d. Drill Regulations (Manual of the Sabre)	1	1	1	1
e. Field service regulations.....	2	4	4	4
f. Military hygiene	2	4	4	4
g. Knowledge of the rifle.....	1	1	1	1

III. Additional subjects.

	Second Lieutenant.	Weight.
a. Drill regulations to and including school of the company, close and extended order.....		6
b. Guard duty		5
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....		5

	First Lieutenant.	Weight.
a. Drill regulations to and including school of the company, close and extended order.....		6
b. Guard duty		5
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....		5
d. Principles of map reading, of advance and rear guards and outposts		3

	Captain.	Weight.
a. Drill regulations to and including school of the battalion..		6
b. Guard duty		4
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....		5
d. Principles of map reading, of advance and rear guards and outposts and reconnaissance.....		4
e. Problems in minor tactics.....		2

	Major and Lieutenant-Colonel.	Weight.
a. Drill regulations to and including evolutions of a regiment, close and extended order.....		4
b. Guard duty		2
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....		5
d. Map reading, advance and rear guards and outposts and reconnaissance		5

	Weight.
e. Minor tactics. A tactical problem to be given by the board. The officer being examined to explain the orders for the troops and to indicate on a military map the positions of the troops for such action as would be demanded under the conditions of the problem.....	3
f. Horsemanship, elementary and practical.....	1

Colonel.

a. Drill regulations — entire	2
b. Guard duty	2
c. Regulations for small arms firing, fire discipline — entire subject	2
d. Map reading, advance and rear guards and outposts and reconnaissance	4
e. Minor tactics. A tactical problem to be given by the board. The officer being examined to explain the orders for the troops and to indicate on a military map the positions of the troops for such action as would be demanded under the conditions of the problem.....	4
f. Organization and administration; use of the three arms combined	6
g. Horsemanship, elementary and practical.....	1

109.

Field Artillery.

I. General knowledge, same as infantry of same grade with the same weights.

II. Professional fitness.

Same subjects except (g) with same weights as for infantry officers of the same grade.

III. Additional subjects.

Second Lieutenant.

a. Drill regulations to and including mounted instruction of the battery	6
b. Firing instruction and the preparation and conduct of fire.	6
c. Guard duty and ceremonies including inspection, muster and review	5
d. Regulations for small arms firing.....	5
e. Care of field artillery material.....	6
f. Horsemanship and care of horses in garrison and transportation of field artillery material by rail and water...	6
g. Algebra. (1) Explanation of signs. (2) Addition (2 problems). (3) Subtraction (2 problems). (4) Multiplication (2 problems). (5) Division (2 problems). Using any standard text-book.....	6
h. Geometry. (1) Definitions. (2) Axioms. (3) Postulates. (4) Theorems contained in Book 1 (two to be selected). Using any standard text-book based on Davies' Legendre.	6

First Lieutenant.	Weight.
Same subjects and same weights as examination for Second Lieutenant, except	
c. Guard duty and ceremonies including inspection, muster and review	4
In addition,	
i. Outposts	3

Captain.

a. Drill regulations to and including mounted instruction of the battalion	6
b. Firing instruction and the preparation and conduct of fire.	6
c. Guard duty and ceremonies including inspection, muster and review	5
d. Regulations for small arms firing.....	5
e. Care of field artillery material.....	6
f. Horsemanship and care of horses in garrison and transportation of field artillery material by rail and water.....	6
g. Outposts	3
h. Field service regulations including service of information, marches, combat, ammunition, supply, transportation, subsistence and shelter.....	4
i. Problem in minor tactics.....	4

Major, Lieutenant-Colonel and Colonel.

a. Drill regulations to and including the evolutions of the regiment	5
b. Firing instruction and the preparation and conduct of fire.	3
c. Guard duty and ceremonies including inspection, muster and review	4
d. Regulations for small arms firing.....	3
e. Care of field artillery material.....	6
f. Horsemanship and care of horses in garrison and transportation of field artillery material by rail and water..	3
g. Outposts	3
h. Reconnaissance and selection of positions.....	4
i. Field service regulations, orders, dictation and transmission in field or march and in combat.....	4
j. Minor tactics. A tactical problem to be given by the board. The officer being examined to explain the orders for the troops, and to indicate on a military map the positions of the troops for such action as would be demanded under the conditions of the problem.....	3

Adjutants of Battalions and Regiments.

a. Drill regulations, general knowledge to and including maneuvers of the battalion and regiment.....	4
b. Service of information and communication.....	4

	Weight.
c. Reconnaissance and selection of positions.....	4
d. Ceremonies, reviews, inspection, escorts and guard mounting.	5
e. Field service regulations, drafting and dispatching field orders. Service of security and information, and marches during combat	3
f. Thorough knowledge of office duties and official correspondence	6
g. Uniform regulations.....	3

110. Coast Artillery Corps.

- I. General knowledge, same as infantry of same grade with the same weights.
- II. Professional fitness, same as infantry of same grade with the same weights.
- III. Additional subjects.

Second Lieutenant.

1. a. Infantry drill regulations to and including school of the company, close and extended order.....	4
b. Guard duty	2
c. Regulations for small arms firing, fire discipline, armory and field small arms practice	1
2. a. Drill regulations for coast artillery, general principles and definitions	4
b. General instructions for drill, and service at the battery.	3
c. Drill and nomenclature of the guns belonging to the battery to which the company, in which he is to be commissioned, is assigned	5
d. General theory of the position-finder service.....	1

First Lieutenant.

1. a. All that prescribed for second lieutenant.....	6
b. Principles of advance and rear guards and outposts.....	2
2. Theory, drill and nomenclature of all apparatus installed in the primary and secondary stations of the battery to which the company, in which he is to be commissioned, is assigned.....	12

Captain.

1. a. Infantry drill regulations to and including school of the battalion, close and extended order.....	3
b. Guard duty	2
c. Regulations for small arms firing, fire discipline, armory and field small arms practice.....	1
d. Principles of advance and rear guards and outposts....	1
2. Drill regulations for coast artillery. Drill, nomenclature and knowledge of everything pertaining to the equip-	

Weight.

ment of the battery to which the company, in which he is to be commissioned, is assigned..... 13

Major.

- 1. a. Infantry drill regulations to and including evolutions of a regiment, close and extended order..... 3
- b. Guard duty 2
- c. Regulations for small arms firing, fire discipline, armory and field small arms practice..... 1
- d. Advance and rear guards and outposts..... 1
- 2. a. Drill regulations for coast artillery, to and including the fire commands of the United States artillery district to which the companies of his artillery district are assigned 12
- b. Control of search-lights 1

Lieutenant-Colonel and Colonel.

- 1. a. Infantry drill regulations, entire..... } 10
- b. Guard duty }
- c. Regulations for small arms firing, fire discipline, armory and field small arms practice..... }
- d. Advance and rear guards and outposts and reconnaissance }
- 2. Drill regulations for coast artillery, to and including the battle command especially of the United States artillery district to which the companies of his artillery district are assigned 10
- In addition for all mounted officers, horsemanship, elementary and practical 1

111. Adjutants, Quartermasters and Commissaries.

Adjutants, quartermasters and commissaries serving with organizations or corps except as otherwise specifically provided.

I. General knowledge.

The same subjects with same weights as for infantry officers of the same grade.

II. Professional fitness.

The same subjects with same weights as for adjutants-general, quartermasters and commissaries respectively.

III. Additional subjects.

Adjutant:

- a. Drill regulations to and including evolutions of a regiment, close and extended order; ceremonies 4
- b. Guard duty 2
- c. Horsemanship, elementary and practical..... 1
- d. Uniform regulations 3

Quartermaster:	Weight.
a. The Regulations so far as relate to his department	6
b. Manual quartermasters department, U. S. A....	5
c. Horsemanship, elementary and practical and care and inspection of public animals	5
d. Uniform regulations	3
Commissary:	
a. The Regulations so far as relate to his department	6
b. Manual subsistence department, U. S. A.....	6
c. Care and preservation of subsistence stores	6
d. Horsemanship, elementary and practical	1

112. Chaplains.

Chaplains are exempt from all examinations except eligibility and physical fitness.

Candidates from civil life.

113. A candidate from civil life for the position of second lieutenant, first lieutenant or captain of the line shall be examined as to physical condition and general efficiency subdivisions (a) and (b) of section 97, and upon such other subjects and to such extent as the board may deem necessary to determine his intelligence and ability to become an efficient officer. The board may in such case in lieu of a percentage make report in the form of "favorably from civil life as it is believed he will make a good officer" or in the negative if the candidate is disqualified.

Report of examination.

114. When the board has concluded its examination of a candidate it shall enter its report on Form 10 and return the same to the officer who referred the papers to the board with the proceedings of election or the nomination; the report of the physical examination; official transcripts covering the candidate's prior service; all communications relative to the candidate both adverse and favorable with a copy of all testimony taken other than the candidate's replies on his examination for eligibility unless there be some controversy about the same.

115. Each examining board shall keep a record of its proceedings. This record shall commence with the first meeting of the board after its appointment, and the first entry shall be similar to the following example:

Proceedings of the examining board for officers of the *First Brigade*, convened in obedience to the following order:

(Here follows a verbatim copy of the order appointing the board.)

State Armory, Albany, N. Y.,

January 3, 1910.

The board met pursuant to the foregoing order and the call of its president at 8 o'clock P. M.

Present:

.....
 (Here give names of those present in proper order.)

Absent:

.....
 (Give names of those absent; if none, omit all reference to absent.)

There being no further business before the board, it adjourned subject to call of its president.

JOHN A. DOE,
Colonel, 1st Infantry, President.

RICHARD A. ROE,
Major, 2d Infantry, Recorder.

The examination of a candidate being completed, the board shall make up its record in his case, which the recorder shall enter into the record book as follows:

State Armory, Albany, N. Y.,
January 10, 1910.

The examining board for officers of the *First Brigade* met at the call of its president, at 8 o'clock P. M.

Present:

.....

Absent (if any):

.....

Colonel John A. Doe, 1st Infantry, president, informed the board that he had received the return of election (or nomination) of *Second Lieutenant Henry A. Stoe as first lieutenant, 1st Infantry*, with four inclosures; that he therefore notified *Lieutenant Stoe* to appear before the board at 8 p. m., this day and place.

Second Lieutenant Henry A. Stoe, elected *first lieutenant, 1st Infantry*, presented himself. He was asked if he objected to being examined by any member present, to which he replied in the negative. (In the event of a challenge the proceedings shall be conducted and recorded substantially as provided in the case of general courts-martial.) The members of the board present and the recorder were then duly sworn in his presence.

Lieutenant Stoe then presented his statement of eligibility and fitness, was duly sworn and examined as to the same and signed it in the presence of the board which determined he was eligible (or ineligible; if the former, continue).

The candidate was then examined with the results recorded:

- I. Physical condition: *Found fit.*
- II. General efficiency:
 - a. Moral fitness — *character good.*
 - b. General knowledge —

	Mark.	Weight.	Result.
1. Reading and writing.....	90	× 2	= 180
2. Geography	80	× 1	= 80
3. Arithmetic	75	× 2	= 150
4. History	70	× 1	= 70
		—	—
		6	480

(In cases excepted within section 97b this examination shall be omitted, the record stating the reason therefor.)

III. Professional fitness —

	Mark.	Weight.	Result.
a. M. L.....	70	× 1	= 70
b. R.	90	× 2	= 180
c. O. M. R.....	65	× 1	= 65
d. D. R. (sabre).....	85	× 1	= 85
e. F. S. R.....	75	× 2	= 150
f. Military hygiene	60	× 2	= 120
g. Knowledge of the rifle	90	× 1	= 90
		—	—
		10	760

IV. Additional subjects (first lieutenant, infantry) —

	Mark.	Weight.	Result.
a. D. R.....	92	× 6	= 552
b. Guard duty.....	87	× 5	= 435
c. R. S. A. F.....	82	× 5	= 410
d. Map reading	60	× 3	= 180
		—	—
		19	1577

SUMMARY.

	Weights.	Results.
General efficiency	6	480
Professional fitness	10	760
Additional subjects	19	1577
	—	—
Totals	35	2817

Final mark on examination..... 80 17/35

The board, therefore, decides in this case to report, that the candidate has satisfactorily passed, and there being no further business before it, to adjourn subject to call of president.

JOHN A. DOE,

Colonel, 1st Infantry, President.

RICHARD A. ROE,

Major, 2d Infantry, Recorder.

116. When the officer who refused the nomination or proceedings of election receives the report of an examining board he shall forward the same with his comments to the adjutant-general of the state. If

the report is unfavorable the adjutant-general of the state shall notify the officer who ordered the election or made the nomination of that fact and that the vacancy still exists.

A first lieutenant medical corps, who fails to pass the examination for promotion, under M. L. 74, shall be placed on the retired list, and notice of the vacancy thereby created, shall be given by the adjutant-general of the state to the officer authorized to nominate a successor.

ARTICLE IX.

EXAMINATION FOR APPOINTMENT AS NON-COMMISSIONED OFFICERS.

125. Examining boards for non-commissioned officers shall consist of not more than five nor less than three officers unless that number be not available when a less number may constitute a board if authorized by the warranting officer. Examining boards for the hospital corps shall consist of medical officers. Members of boards mentioned in this section shall not receive pay from the state, but may receive their actual and necessary expenses from the headquarters or military fund upon proper authorization. A majority of the authorized members of a board shall be necessary to make a quorum.

126. Each member of such a board before entering upon his duties shall be sworn by the president faithfully and impartially to examine and report upon the candidates who shall be examined by the board and the recorder shall be sworn by the president to a faithful and impartial discharge of his duties as a member and recorder. The president shall then be sworn by any member who has taken the oath. If a board consist of one officer he shall be sworn as provided for a member of a delinquency court (M. L. 139).

127. When a return of nomination is received by the president of such examining board he shall order the person nominated to appear before the board for examination.

128. If a person ordered for examination fail to appear before the board and does not make satisfactory explanation of his absence his nomination shall be returned to the officer who made it.

129. The subjects of examination may be divided among the members of the board but before an examination on a subject is closed an opportunity to ask questions thereon must be given to each member.

130. The questions asked shall be of a practical character and commensurate with the grade for which the examination is held. On each subject the possible maximum mark shall be one hundred. The aggregate of the marks on all subjects shall be divided by the number of subjects and the result is the final mark on the examination. Candidates who fail to obtain a final mark of seventy-five per cent shall be reported as unsatisfactory.

131. Each examining board shall keep a record showing the dates of meeting, members present, names of candidates, subjects of their examination and marks on each subject and final mark.

132. When the board has concluded its examination of a candidate it shall enter its report on Form 12 and return the same if favorable to the officer who ordered the board; if unfavorable, to the officer who nominated the candidate.

133. The examination of a candidate shall cover physical condition, moral character, past record including attendance, general education, Regulations and ability to command. If the examination as to physical qualification, moral character and past record or as to any one of them be unsatisfactory the board shall not proceed further and shall report unfavorably. If satisfactory the examination shall proceed. The examination shall include;

a. General education: (1) knowledge of the English language and ability to read and write it with facility and correctness, (2) the common rules of arithmetic. This part of the examination may be omitted in the case of candidates who are graduates of grammar schools of this state or higher educational institutions.

b. The Regulations, article I, military etiquette and sufficient knowledge of official correspondence to address, direct, write and brief military communications, the organization of the national guard, its various grades and departments and the insignia denoting such grades and departments.

c. Ability to command.

d. Additional subjects as provided in sections 134 to 140, inclusive.

134. Hospital Corps. Additional subjects.

Corporal.

a. Hospital corps drill regulations, all except the navy litter. Manual of the sabre and pistol, ceremonies and tent drill.

b. Uses of contents of hospital corps and orderly's pouches, application of bandages, dressings and temporary splints, care and preservation of equipment of hospital corps.

c. Keeping of descriptive book, report book, correspondence book, and hospital and prescription book.

Sergeant.

a. Hospital corps drill regulations, all except the navy litter. Manual of the sabre and pistol.

b. Positions and duties of hospital corps in the field and on the march.

c. Keeping of all records and returns of the medical department.

d. Use and preservation of all property used by the medical department.

e. Elementary hygiene and sanitation.

Sergeant, First Class.

Same as for sergeant.

In mounted detachments for sergeants and sergeants first class, in addition;

Practical riding, saddling, biting, harnessing and driving, nomenclature of horse equipment including wagon and ambulance harness, feeding and grooming of horses and management of picket line.

135. Corps of Engineers. Additional subjects.

a. The same subjects that are specified for infantry of the same grade. If the candidate fails to pass this part of the examination satisfactorily, he shall be rejected.

b. Knowledge of the elementary and fundamental parts of the Engineer Field Manual (Professional Papers of the Corps of Engineers, U. S. A., No. 29), parts 1 to 6, inclusive, with particular attention to the following subjects:

1. Knots and lashings;
2. Use of compass and cavalry sketching case;
3. Ponton bridges;
4. Such other specific subjects as the candidate may have received instruction upon during his previous service.

136. Signal Corps. Additional subjects.

Corporal.

a. Visual signaling.

To determine ability to send and receive with the apparatus and to conduct the operations of a station.

b. Telegraphy and telephony.

To determine ability to install and adjust buzzers, telephones and telegraph instruments for the operation of a station.

c. Drill regulations.

To include the school of the soldier or trooper.

d. Guard duty.

Duties of sentinels and corporals.

e. Regulations for small arms firing.

To include the use and care of the weapons with which the signal corps is armed.

Sergeant.

a. Administration.

To cover the preparation of company papers and reports.

b. Visual signaling.

To determine ability to send and receive with the apparatus with which the signal corps is equipped, to conduct the operations of stations, the selections of their locations and the preparation of records and reports.

c. Theory of electricity and magnetism.

To determine his familiarity with its application to all the apparatus, excepting wireless, with which the signal corps is equipped.

d. Telegraphy and telephony.

To determine ability to construct lines for the operation of buzzers, telephones and telegraph instruments, to install and adjust these instruments, and to include exercises in the preparation of records and reports covering the operations of the lines.

e. Topography.

To determine ability to read and explain a military map, and to include elementary map sketching and production under service conditions.

f. Drill regulations.

To include the school of the squad or platoon in the drill regulations provided for the signal corps, as well as to properly supervise the care of horses.

g. Guard duty.

Up to and including duty of sergeant of the guard.

h. Regulations for small arms firing, fire discipline.

First-Class Sergeant.

a. Administration.

To cover the preparation of company papers and reports and ability to keep the books prescribed for a company.

b. Theory of electricity and magnetism.

To determine familiarity with its application to all the apparatus with which the signal corps is equipped.

c. Telegraphy and telephony.

To determine ability to construct lines for the operation of buzzers, telephones and telegraph instruments, including wireless, and to adjust these instruments, and to include exercises in the preparation of records and reports covering the operation of the lines.

d. Drill regulations.

To include the school of the company or troop in the drill regulations provided for the signal corps, as well as to properly supervise the care of horses.

e. Guard duty.

Up to and including duty of sergeant of the guard.

f. Regulations for small arms firing, fire discipline.

g. Essay.

An essay not to exceed 1,500 words on some professional subject having relation to the duties of the signal corps.

Master Signal Electrician.

a. Visual signaling.

To determine familiarity with the construction of all the apparatus with which the signal corps is equipped.

b. Theory of electricity and magnetism.

To determine familiarity with its application to all the apparatus with which the signal corps is equipped, as well as to primary and secondary batteries, dynamos and motors.

c. Telegraphy and telephony.

To determine ability to construct lines for the operation of buzzers, telephones and telegraph instruments, including wireless, and to install, adjust, repair and construct these instruments.

d. Power and light.

To determine familiarity with elementary algebra and elementary mechanics, and with steam, gas and oil engines, dynamos and motors, in theory and practice, and ability to install and operate portable engines, dynamos and motors.

e. Regulations for small arms firing, fire discipline.

f. Essay.

An essay not to exceed 2,500 words on some professional subject having relation to the duties of the signal corps.

Should a candidate appear for examination for the grade of first-class sergeant who has not passed the examination for sergeant, he shall be first required to pass such examination.

137. Coast Artillery Corps. Additional subjects.

Corporal.

- a. Infantry drill regulations to and including school of the squad; and posts and duties of corporals at guard mounting.
- b. Guard duty. Duty of sentinels and corporals.
- c. Regulations for small arms firing, fire discipline.
- d. Nomenclature of gun and carriage of the battery to which the company is assigned; or
Nomenclature and use of instruments in the primary station of the battery to which the company is assigned; or
Knowledge of powder, projectiles and service of ammunition for the battery to which the company is assigned.

Sergeant.

- a. Infantry drill regulations to and including school of the company, in the school of the battalion duties of guides; in guard mounting the posts and duties of non-commissioned officers.
- b. Guard duty to and including duty of sergeant of the guard.
- c. Regulations for small arms firing, fire discipline.
- d. In advance and rear guard and outposts, the duties of sergeants and corporals as in drill regulations.
- e. Guns, carriages, drill and service of the battery to which the company is assigned; or
Duties in the plotting room and use of instruments in primary station of the battery to which assigned; or
Knowledge of powder, projectiles, primers and fuses used by the battery to which the company is assigned.

Quartermaster-Sergeant of company.

- a. Infantry drill regulations same as sergeant except guard mounting.
- b. Issuing and accounting for property issued to a company.
- c. Care, preservation and transportation of property issued to a company.
- d. Care, preparation and service of the ration.
- e. His duties in regard to police and hygiene.
- f. General knowledge of the guns of the battery to which his company is assigned.

First Sergeant.

- a. Infantry drill regulations. Same as required for sergeant and guard mounting.
- b. Keeping of company records and making reports and returns.
- c. Regulations for small arms firing, fire discipline.
- d. Advance and rear guard and outpost, same as sergeant.
- e. His duties in regard to police and hygiene.
- f. Knowledge of emplacement, guns and ammunition, also instruments in primary stations of the battery to which the company is assigned.

Sergeant-Major, junior grade.

- a. Infantry drill regulations, school of battalion, guard mounting, posts of non-commissioned staff at ceremonies.
- b. Books, reports, records, returns and papers of the adjutant's office.
- c. Knowledge of all telephones, instruments and plotting boards used in the fire commander's station at the post to which the companies of his district are assigned.

Sergeant-Major, senior grade.

- a. Infantry drill regulations, school of battalion, guard mounting, posts of non-commissioned staff at ceremonies.
- b. Books, records, reports, returns and papers of the adjutant's office.
- c. Knowledge of all telephones, instruments and plotting boards used in the battle commander's station at the post to which the companies of his district are assigned.

Fireman.

General knowledge of fuel and firing, also of boilers and accessories installed at post to which the companies of his district are assigned.

Master Gunner.

Knowledge, care and repair of all parts of guns and carriages mounted at post to which the companies of his district are assigned and also knowledge of photography and drawing.

Electrician Sergeant, second class.

Knowledge of all electrical equipment and power installations in the post to which assigned with special reference to the care, repair and maintenance of electrical installations, lines and means of communication including the mechanical work necessary in repairing the electrical apparatus and the care and operation of search lights and small power plants.

Electrician Sergeant, first class.

Same as electrician sergeant, second class, and in addition the supervision, care and operation of a division of the electrical installations including search lights and power plants.

Engineer.

Knowledge of power plants, use and care of oil engines, gas engines and stationary steam engines as used at the post to which assigned.

Master Electrician.

Same as electrician sergeant, first class and in addition general knowledge of the care, repair and operation of the electrical and power installations of a district.

138. Field Artillery. Additional subjects.

Corporal.

- a. Drill regulations to and including firing instruction of the gun squad.
- b. Duties and positions of the caisson corporal and gunner.
- c. School of the driver.
- d. Care and grooming of horses.
- e. General knowledge of field artillery material and its care.
- f. Guard duty. General orders and duties of a sentinel and a corporal.
- g. Arm signals.
- h. Regulations for small arms firing.

Sergeant.

- a. Drill regulations to and including mounted instruction of the battery.
- b. Guard duty to and including duties of sergeant of the guard.
- c. Ceremonies of inspection, muster and review.
- d. Duties of scouts and couriers.
- e. Practical instruction in saddling and harnessing; nomenclature of horse equipments. Guns, caissons and wagons. Care of horses and field artillery material in the field.
- f. Transportation of horses and field artillery material by rail and water.
- g. Regulations for small arms firing.

Stable Sergeant.

- a. Drill regulations school of the soldier dismounted and mounted.
- b. Horses, diseases, accidents and remedies.
- c. Care of horses in garrison, field and in transportation by rail and water.
- d. Regulations for small arms firing.

First Sergeant.

The same as for sergeant and in addition,

- a. Guard mounting.
- b. Office duties, keeping records and making reports and returns.

Quartermaster Sergeant, batteries, battalions and regiments.

- a. Drill regulations subjects required for sergeant.
- b. Requisitions, receipts and issues of property, forage for horses, care and preservation of property and transportation by rail and water.
- c. Obtaining, issuing and accounting for and care of subsistence supplies.
- d. Duties as to police and hygiene.
- e. Regulations for small arms firing.

Sergeant-Major of battalions and regiments.

- a. Drill regulations including the regiment mounted.
- b. Guard duty.
- c. Ceremonies.
- d. Office duties, books, records, reports, returns and papers of the adjutant's office.
- e. Duties of scouts, reconnaissance and map reading and making.
- f. Telephone and signal communication.
- g. Regulations for small arms firing.

139. Cavalry. Additional subjects.

For all non-commissioned officers, a general knowledge of the care and management of the horse.

Corporal.

- a. Drill regulations, school of the soldier and school of the trooper and extended order in school of the troop; posts and duties of corporals at guard mounting.
- b. Guard duty. Duties of sentinels and corporals.
- c. Regulations for small arms firing, fire discipline.
- d. Advance, rear guard and outpost duties.

Sergeant.

The same as for a corporal and in addition,

- a. Drill regulations to and including school of the troop.
- b. Guard duty, including duties of sergeant of the guard.
- c. Stable duty.

Quartermaster-Sergeant.

- a. Drill regulations same as sergeant except guard mounting.
- b. Issuing and accounting for property issued to a troop.
- c. Care, preservation and transportation of animals and property issued to a troop.
- d. Care, preparation and service of the ration.
- e. His duties in regard to police and hygiene.
- f. Drawing and issuing of forage.
- g. General knowledge of camp sites and their requirements.

First Sergeant.

The same as for a sergeant and in addition,

- a. Drill regulations to and including school of the squadron and stable duty.
- b. Keeping of troop records and making reports and returns.
- c. His duties in regard to police and hygiene.

140. Infantry. Additional subjects.

Corporal.

- a. Drill regulations to and including school of squad; and posts and duties of corporals at guard mounting.
- b. Guard duty. Duties of sentinels and corporals.
- c. Regulations for small arms firing, fire discipline.

Sergeant.

- a. Drill regulations to and including school of the company, in the school of the battalion duties of guides; in guard mounting the posts and duties of non-commissioned officers.
- b. Guard duty to and including duties of sergeant of the guard.
- c. Regulations for small arms firing, fire discipline.
- d. In advance and rear guard and outposts the duties of sergeant and corporal.

Quartermaster-Sergeant of a company.

- a. Drill regulations same as sergeant except guard mounting.
- b. Issuing and accounting for property issued to a company.
- c. Care, preservation and transportation of property issued to a company.
- d. Care, preparation and service of the ration.
- e. His duties in regard to police and hygiene.

First Sergeant.

- a. Drill regulations, subjects required for sergeant and guard mounting.
- b. Keeping of company records and making reports and returns.
- c. Regulations for small arms firing, fire discipline.
- d. Advance and rear guard and outposts same as sergeant.
- e. His duties in regard to police and hygiene.

Sergeant-Major.

- a. Drill regulations, school of battalion, guard mounting, posts of non-commissioned staff at ceremonies.
- b. Books, records, reports, returns and papers of the adjutant's office and of a company.

Quartermaster-Sergeant of a regiment.

- a. Drill regulations, posts.
- b. Obtaining, issuing and accounting for quartermaster's property.
- c. Care and preservation of quartermaster's property and transportation of property and troops.

Commissary-Sergeant of a regiment.

- a. Drill regulations, posts.
- b. Obtaining, issuing and accounting for subsistence supplies.
- c. Care and preservation of subsistence supplies.
- d. Duties as to police and hygiene.

141. Chief and principal musicians, drum-major and non-commissioned officers of bands.

- a. Drill regulations in marching and his posts at drill and ceremonies.
- b. Special duties.
For drum-major, duties of musicians of the guard, posts of band at ceremonies, service calls.
Chief and principal musicians enlisted as such are exempt from examination.

142. Ordnance-Sergeant.

- a. Drill regulations, posts.
- b. Obtaining, issuing and accounting for ordnance property.
- c. Care and preservation of ordnance property, and particularly ammunition.
- d. Regulations for small arms firing.
- e. Nomenclature of the rifle and the method of removing and disassembling and assembling of the bolt action.

143. Post Quartermaster-Sergeant.

- a. Drill regulations, posts.
- b. Obtaining, issuing and accounting for quartermaster's property and subsistence supplies.
- c. Care and preservation of quartermaster's property and subsistence supplies and transportation of property and troops.
- d. Duties as to police and hygiene.

144. Post Commissary-Sergeant.

Same as prescribed for commissary-sergeant of a regiment.

ARTICLE X.

FIRST AND SECOND CLASS GUNNERS AND RATING AND DISRATING
OF PRIVATES.

149. Each member of a board of examination, appointed under this article, and the recorder thereof, shall be sworn in the manner provided, in section 126, for boards of examination of non-commissioned officers.

150. Ratings and disratings shall be effective from the date of the order announcing the same. Artificers, farriers, horseshoers, blacksmiths, saddlers, trumpeters, wagoners, chief mechanics, mechanics and cooks are enlisted as privates and are appointed by their respective company commanders. They are subject to reduction by the same authority.

Corps of Engineers.

151. Privates, first class, in the corps of engineers shall be rated and disrated by the commanding officers of companies and shall have the following qualifications:

- a. At least one year's service in the corps of engineers.
- b. Full proficiency in tying all ordinary knots and making lashings.
- c. Ability to correctly interpret the fundamental points of the military map such as the scale of contours and direction of stream flow.
- d. Knowledge of bridges with special reference to ponton-bridge material and construction.
- e. Knowledge of infantry drill regulations and guard duty so far as they refer to privates.

Before being rated, a candidate shall be examined in subjects, c., d. and e., by a board of three officers of the corps of engineers to be appointed by the colonel thereof, and to be eligible to appointment, must answer correctly at least seventy-five per cent. of twelve questions in subjects c. and d. The examination in subject e. shall be oral. The candidate's proficiency in subject b. must be certified to by the commanding officer of his company after an oral examination by one of the lieutenants of his company, to be designated by such commanding officer, and such certificate shall be included in a request to have the candidate ordered to appear for examination. The commanding officer of the company may appoint the candidate when notified that he has passed the required examination and such appointment shall be by company order.

Hospital corps.

152. A hospital corps private first class shall be rated and disrated by the senior medical officer of the detachment with which he is serving. Before being rated the candidate shall pass a satisfactory examination in the drill regulations and in the outlines of first aid contained in the authorized drill regulations for the hospital corps before such senior medical officer or an officer detailed by him. The number

of corporals and privates first class in a detachment shall not exceed twice the number of privates.

Signal corps.

153. A private, first class in the signal corps, shall be rated and disrated by the commanding officer of his company. Before being rated a candidate shall be examined by the commanding officer of a company or by an officer appointed by him in the following subjects:

a. Drill regulations in the school of soldier, mounted and dismounted.

b. Manual of guard duty, duties of a private of the guard.

c. The signal apparatus with which his company is equipped.

d. Codes in use.

e. Regulations relative to military discipline and etiquette.

The examination may be oral, written and practical. If the result of the examination is satisfactory to the commanding officer of the company, he shall so certify and recommend the candidate for appointment to the chief signal officer of the division upon whose approval such appointment may be made. All ratings and disratings shall be by company order.

Coast Artillery Corps.

154. Boards for the examination of first and second class gunners shall be appointed by the chief of coast artillery and shall consist of three artillery officers, selected with reference to their special qualification for this duty; provided that when a member of the board is a company officer he shall be relieved during the examination of candidates from his company and the examination conducted by the remaining members.

155. A company commander desiring to send candidates before the examining board shall submit to the artillery district adjutant a duly signed list of each class, giving the full names of candidates arranged in muster-roll order, with a statement that he believes each man so presented is capable of qualifying in the class designated. These lists shall be transmitted by the artillery district commander to the senior member of the board who shall notify company commanders of the dates set for examinations.

156. The examination shall be held, as far as practicable, at such places as the material or equipment pertaining to the subject in hand is located.

157. In determining the qualifications of candidates credit shall be given for practical knowledge of subjects rather than for text-book answers to questions.

158. The qualifying marks for classification in each case shall not be less than an average of seventy-five per cent.

159. The board shall keep a record of its marks during all examinations, but these marks shall not be published in orders. The report of the board after the completion of each examination shall be sent to the chief of coast artillery, who shall publish an order announcing

the names of those who have qualified, the names being arranged for each organization in each class in muster-roll order, and reciting the date of qualification in each case.

160. The scope of the examinations for first and second class gunners and the relative weights to be given the subjects are as follows:

For Candidates in Companies Assigned to Gun or Mortar Defense.

For second class gunners:

a. Service of the piece	25
b. Guns and carriages	25
c. Powders, projectiles, primers and fuzes.....	25
d. Cordage, gins, shears, jacks.....	15
e. United States magazine rifle	10

For first class gunners:

a. The azimuth instrument	20
b. Duties in the plotting room.....	50
c. Aiming and laying guns or mortars.....	15
d. Definitions C. A. D. R.....	5
e. Warships	10

For Candidates in Companies and Detachments Assigned to Mine Defense.

For second class gunners:

a. Ammunition, nomenclature, and service of guns to which the candidate's company is assigned.....	15
b. Material of and duties in the loading room (except electrical principles involved)	35
c. Material for and duties on the water.....	30
d. Cordage	10
e. United States magazine rifle	10

For first class gunners:

a. Care and preservation of mine material.....	15
b. Handling high explosives	20
c. Knowledge and use of the azimuth instrument and plotting board	20
d. Engines, generators, transformers, storage batteries, and searchlights assigned to the company of which the candidate is a member	20
e. Operation of casemate apparatus and of telephones.....	20
f. Definitions C. A. D. R.....	5

161. Enlisted men qualifying as first or second class gunners shall not be disqualified as a punishment.

162. Examinations shall be held by boards appointed by the chief

of coast artillery, at such times as he may prescribe for the purpose of determining what enlisted men are qualified for rated positions.

163. Rated enlisted men of a mine command or a battery shall be appointed, after examination from duly qualified candidates, by the artillery district commander upon recommendation of company commanders approved by the fire or mine commander.

164. Rated enlisted men for battle or fire command stations shall be appointed, after examination from duly qualified candidates, by the artillery district commander upon recommendation of the battle or fire commander.

165. Records shall be kept by the chief of coast artillery in the form of eligible lists of the enlisted men of each company eligible for each rated position.

166. Examination for rated positions shall be confined to first class gunners or enlisted men who have once been classified as first class gunners. Candidates who pass with an average of seventy-five per cent. any of the examinations prescribed for rated enlisted men shall be carried on the eligible list for appointment to the corresponding rated position for a period of three years from the date of examination.

167. Enlisted men on the eligible list for a rated position shall be classified as first class gunners from the date of qualification and so announced in orders, and such classification shall be continued for the time they are entitled to remain on such eligible list. When a man's term of eligibility for any rated position expires he may be continued in such rated position or on the corresponding eligible list by passing a new examination for such rated position, and his classification as first class gunner shall be continued without further examination.

168. The same enlisted man may be carried on several eligible lists providing he passes satisfactorily the prescribed examinations for such rated positions.

169. Prior to the examination for the rated positions of observers, first or second class, or gun pointer, the candidates shall be examined by the post surgeon for defective vision, and no candidate shall be rated for these positions who has any defect in vision which would impair his efficiency.

170. An enlisted man holding a rated position may be disrated for cause, by the chief of coast artillery upon the recommendation of his company commander approved by the artillery district commander.

171. An enlisted man holding a rated position need not be required to take the examination for that position until the termination of the three-year period from the date of his last classification as a first class gunner, unless his qualifications for the position he holds have not been established to the satisfaction of the fire or mine commander concerned or the artillery district commander, in which case he shall be required to take the examination for that position at such time as may be prescribed by the chief of coast artillery. In the event of his failure to pass satisfactorily the prescribed examination he shall be disrated immediately by the chief of coast artillery.

Field Artillery.

172. Boards for the examination of first and second class gunners shall be appointed by the commanding officer of the battalion or other military unit under which the batteries of the state are organized and shall consist of three field artillery officers selected with reference to their special qualifications for this duty, provided that when a member of the board is a battery officer he shall be relieved during the examination of candidates of his battery and the examination shall be conducted by the remaining members.

173. A battery commander desiring to send candidates before the examining board shall submit to the commanding officer of the field artillery a list of the names of the men in his battery whom he may designate for examination and the adjutant of the commanding officer will submit a similar list for the noncommissioned staff and mounted orderlies. These lists shall be transmitted to the senior member of the board who shall notify battery commanders of the day set for examination.

174. The examination shall be sufficiently extended to test the candidate's familiarity with the material which he is required to use, and will include the following: (Handbook of the 3-inch F. A. material, 1908). Nomenclature of parts of gun, carriage, limber, caisson; kinds and weights of projectiles; kinds of fuses; kinds of powder; weight of propelling charge; method of filling recoil cylinders; method of removing wheel; method of removing and replacing counter recoil springs.

175. Values are assigned to each of the foregoing subjects as follows:

a. Direct laying	25
b. Indirect laying	25
c. Laying for range.....	15
d. Fuse setting	15
e. Drill of gun squad	10
f. Material	10
<hr/>	
Total	100
<hr/> <hr/>	

The candidate shall be given the full credit which he is able to make at any one trial, but the total credits allowed him in any one subject shall not exceed the maximum shown in the foregoing table.

Candidates to be classed as first-class gunners must obtain a general average of not less than 85 per cent., with an average in each subject of at least 65 per cent. and to be classed as second-class gunners a general average of not less than 65 per cent., with an average in each subject of at least 50 per cent.

176. A second-class gunner on his own application may be permitted to compete at any examination for classification as first-class gunner.

177. The board shall keep a record of its markings during all examinations. The report of the board after the completion of the examination shall be forwarded to the commanding officer of field artillery who

shall publish an order announcing the names of those who have qualified with the date of qualification in each case.

178. The conditions of the examination shall be made as nearly the same for each of the candidates as possible and the following general rules shall be adhered to:

a. Settings of sight or other scales are considered correct if any part of the index is coincident with any part of the line of graduation of the reading ordered.

b. Readings given shall always be even divisions of the scale and not fractions thereof.

c. The candidate may select an assistant to aid at the trail handspike in pointing the piece in direction.

d. The candidate shall be permitted to traverse the piece to the middle point of traverse before each trial.

e. The sight, quadrant or fuze setter shall be in position for use before the command for any trial with them is given; the scales shall be set at any readings except those to be given for the trial.

f. The trials in direct and indirect laying shall be with different ranges and deflections. The trail shall be shifted for each trial.

g. Changes in the setting of scales required of candidates shall not exceed the following: Deflection scale of peep sight, 30 mils; angle of site scale, 50 mils; corrector scale, 10 points; range scale of sight, quadrant or fuze setter, 1,000 yards.

179. The examination in direct laying shall be conducted as follows:

Five trials: Two with the peep sight, and three with the panoramic sight.

The target will be the "O" target for field artillery, representing a shielded gun, and shall be placed at a distance from the gun of 1,000 yards, as nearly as possible.

The candidate being seated on the gunner's seat, the examiner commands, for example—

a. Target, that gun.

b. Deflection, 10.

c. Range, 2,400.

At the last word of the command of execution, the candidate causes the assistant at the trail to point the piece at the target; sets off the range and deflection ordered; corrects for difference of level of wheels; operates the elevating and traversing apparatus so as to bring the line of sight upon the target, and calls "Ready." The cross level shall be then inspected by the examiner to see if it is centered, after which the candidate steps clear.

Time shall be taken from the last word of the command of execution to "Ready."

No credits shall be given in the following cases:

a. If the sight is incorrectly set for range or deflection.

b. If, when the bubble of the cross level is accurately centered, the line of sight is found not to be upon any portion of the silhouette on the "O" target.

c. If the time taken in laying is more than forty-five seconds.

If the piece is found to be correctly laid within the limits prescribed, credits shall be given as follows:

Time in seconds, exactly or less than...	45	40	35	30	25	20	15
Credits	1	2	3	4	5	6	7

180. The examination in indirect laying shall be conducted as follows:

Five trials at ranges between 1,000 and 5,000 yards, using the panoramic sight.

Aiming points should be well defined and of such height as to appear in the field of view when the sight is properly set and the bubble of the cross level centered. They should be of the types used in actual firing, and for the purposes of this examination should not exceed two mils in width, and should be at least 1,500 yards distant. They should be clearly pointed out to the candidate. Two will be selected, one toward the front for two of the trials; the other toward the rear for the remaining three trials.

In the case of the trials with aiming point in rear the candidate shall be allowed an additional assistant, who, from a position in front of the axle, signals to the man at the end of the trail to move it so as to bring the aiming point within the field of view of the sight.

The candidate being seated on the gunner's seat, the examiner commands, for example —

- a. Aiming point, the chimney on that white house.
- b. Deflection, 240.
- c. Range, 3,300.

Before giving the command of execution the examiner requires an assistant to set the quadrant at the range to be used in the trial; he also requires the assistant to center the bubble of the elevation level of the quadrant as soon as the trail is shifted.

At the last word of the command of execution the candidate sets off the deflection, and sets the range scale at the range ordered, causes the trail to be shifted until the sight is directed upon the aiming point, corrects for difference of level of wheels, traverses the piece until the vertical cross hair is on the aiming point, and calls "Ready." The cross level is then inspected by the examiner to see if it is centered, after which the candidate steps clear.

Time is taken from the last word of the command of execution to "Ready."

No credits shall be given in the following cases:

- a. If the sight is incorrectly set for range or deflection.
- b. If, when the bubble of the cross level is accurately centered, the vertical cross hair is found not to be on the aiming point.
- c. If at any time during the trial the candidate has operated the elevating device.
- d. If the time taken in laying is more than forty-five seconds.

If the piece is found to be correctly laid within the limits prescribed, credits shall be given as follows:

Time in seconds, exactly or less than....	45	40	35	30	25	20	15
Credits	1	2	3	4	5	6	7

181. The examination in laying for range shall be conducted as follows:

Four trials using the range quadrant; the candidate being seated on the seat on the right side of the trail, the examiner commands, for example —

- a. Angle of site, 280.
- b. Range, 3,400.

At the last word of the command of execution, the candidate sets off the angle of site; sets the quadrant for range; corrects for difference of level of wheels; turns the elevating crank so as to center the bubble of the elevation level, and calls "Ready."

The cross level is then inspected by the examiner to see if it is centered, after which the candidate steps clear.

Time is taken from the last word of the command of execution to "Ready."

No credits shall be given in the following cases:

- a. If the quadrant is incorrectly set for range or angle of site.
- b. If no part of the bubble of the quadrant cross level is between the two middle lines on the glass tube.
- c. If there is found to be an error of more than fifty yards in laying for range.
- d. If the time taken in laying is more than thirty-five seconds.

If the piece is found to be correctly laid within the limits prescribed, credits shall be given as follows:

Time in seconds, exactly or less than.....	35	30	25	20	15	10
Credits	1	2	3	4	5	6

182. The examination in fuze setting shall be conducted as follows:

Four trials; cartridges of service weight, with fuze set at safety are placed in the caisson chest just above the fuze setter.

The examiner commands, for example —

- a. Corrector, 24.
- b. Range, 2,700.

At the last word of the command of execution, the candidate sets the fuze setter at the corrector and range announced; removes the cartridge from the chest, inserts its head in the instrument; sets the fuze, and calls "Ready."

Time is taken from the last word of the command of execution to "Ready."

No credits shall be given in the following cases:

- a. If the fuze setter is incorrectly set for corrector or range.
- b. If the candidate fails to obtain a fuze setting by operating the instrument.
- c. If the time taken in setting the fuze is more than thirty-five seconds.

If the fuze setter is found to be correctly set and is properly operated, credits are given as follows:

Time in seconds, exactly or less than.....	35	30	25	20	15	10
Credits	1	2	3	4	5	6

183. The examination in drill of the gun squad shall be conducted as follows:

A well-instructed gun squad, consisting of a gunner and five cannoneers, shall be provided; the candidate should explain the maneuvers directed and cause the squad to execute them. These maneuvers shall embrace such parts of the following exercises (Drill Regulations for Field Artillery, Provisional, 1908) as shall thoroughly test the candidate's familiarity with the service of the piece: Formation of the gun squad (paragraph 186); to form the gun squad (paragraphs 190, 191, 192); to tell off the gun squad (paragraphs 193, 194, 195); posts of the gun squad, carriages limbered (paragraphs 196, 197, 198); to post the gun squad (paragraph 199); posts of the cannoneers, carriages limbered (paragraph 200); to post the cannoneers (paragraph 201); to mount the cannoneers on the carriages limbered (paragraphs 202, 203, 204); to dismount the cannoneers from the carriages (paragraphs 205, 206); posts of the cannoneers, carriages unlimbered (paragraphs 209, 210); preparation for action (paragraphs 220, 221); to load and lay (paragraphs 236, 237); to fire the piece (paragraphs 239, 241, 167); to change from direct to indirect laying (paragraphs 243, 154, 165); to shift the trail (paragraph 244); to change target (paragraph 245); to discontinue and resume the fire (paragraphs 246, 247); continuous fire, without sweeping and with sweeping (paragraphs 250, 251, 252); volley fire, without sweeping and with sweeping (paragraphs 253, 254, 255); zone fire without sweeping and with sweeping (paragraphs 256, 257, 258); fire at will (paragraphs 260, 261, 262).

Lance Corporals.

184. To test the capacity of privates for the duties of non-commissioned officers company commanding officers may appoint lance corporals who shall hold such appointments during the pleasure of the appointing officer and shall be obeyed and respected as corporals. The number of lance corporals in a company shall not exceed the number of vacant positions of corporal and the number of corporal absentees and such additional number as will afford one corporal for each squad. In the hospital corps such appointments shall be made by the medical officer commanding the detachment in which they are to serve and such appointments shall not make the aggregate of non-commissioned officers and lance corporals for a detachment more than one to four privates. Lance corporals are not non-commissioned officers and are not warranted but are appointed and reduced at will by order only.

ARTICLE XI.

COMMISSIONS OF OFFICERS.

187. Officers in the National Guard shall be commissioned as follows:

In the Adjutant-General's Department, as "Adjutant-General of the grade of."

In the Inspector-General's Department, as "Inspector-General of the grade of."

In the Judge Advocate-General's Department, as "Judge Advocate of the grade of."

In the Medical Department, as "Lieutenant-Colonel (or other grade) Medical Corps."

In the Quartermaster's Department, as "Deputy Quartermaster General" or "Quartermaster of the grade of."

In the Subsistence Department, as "Deputy Commissary General" or "Commissary of the grade of."

In the Ordnance Department, as "Ordnance Officer of the grade of."

In the Corps of Engineers, as "Colonel (or other grade), Corps of Engineers."

In the Signal Corps, as "Lieutenant-Colonel (or other grade), Signal Corps."

In the Coast Artillery Corps, as "Colonel (or other grade), Coast Artillery Corps."

In the Field Artillery, as "Major (or other grade), First Battalion, Field Artillery," or "Captain (or other grade), Sixth Battery, Field Artillery."

In the Cavalry, as "Major (or other grade), Squadron A (or C) Cavalry," or "Captain (or other grade), Troop B (or D) Cavalry."

In the Infantry, as "Colonel (or other grade), First Infantry."

188. The adjutant-general of the state will transmit a commission direct to the person to qualify thereunder, who shall return his oath of office (Form 14) direct to the adjutant-general of the state, who will upon the receipt thereof and by direction of the Governor place such officer on duty, assign him to the command with which he is to serve and direct him to report to the proper officer, to whom a copy of such order shall be sent. If the officer has been in active service a copy of the order shall be sent to the commanding officer of the command with which he has been serving.

189. A person to whom a military commission has been issued can not perform duty under his commission until he shall have taken the oath of office and been assigned to duty by the governor. The oath of office (Form 14) shall be filed in the office of the adjutant-general of the state and a duplicate should be indorsed on the commission.

190. When an officer is placed on duty after taking the oath of office the order issued by the adjutant-general of the state shall contain the dates of his commission, of his rank and of his entry into the service.

191. Commanding officers shall issue orders assigning to duty officers reporting to them under section 188 and forward copies of such orders to all superior headquarters.

192. The date of taking the oath of office under a commission is the date of the officer's entry into service under that commission.

193. An enlisted man who receives a commission shall immediately on taking the oath of office apply to his former commanding officer to be discharged by reason of promotion.

ARTICLE XII.

APPOINTMENTS, WARRANTS AND REDUCTIONS OF NON-COMMISSIONED OFFICERS.

195. When a warranting officer approves the nomination of a non-commissioned officer he shall issue an order of appointment and detail the appointee to duty and forward a copy of this order to the officer under whose immediate command the appointee is to serve.

196. A non-commissioned officer on his appointment shall receive a warrant (Form 16). If he re-enlists and is reappointed within thirty days after his discharge he may retain his original warrant if the warranting officer so directs, in which event such warranting officer shall indorse his action on the warrant.

197. A non-commissioned officer may be reduced to the ranks by sentence of a court-martial or by order of the officer having authority to warrant such non-commissioned officer.

198. The order for the reduction of a non-commissioned officer shall state the reason for the reduction, and the date from which it is to take effect (Form 17). Non-commissioned officers when reduced shall be returned to duty as privates except non-commissioned officers enlisted as such who shall be discharged.

ARTICLE XIII.

ENLISTMENTS AND RE-ENLISTMENTS.

Enlistments.

205. The enlistment of a man is executed on Form 1.

a. A man desiring to enlist shall sign the statement of application.

b. If the recruiting officer approves the application he shall sign his certificate.

c. The recruit shall then be examined by a medical officer serving with the command, or by the nearest medical officer available. In case a medical officer cannot be obtained the examination may be made by a civilian physician. If a deviation from the prescribed standard is found which in the opinion of the examining officer does not incapacitate the candidate for enlistment from performing full military duty, the officer authorized to approve the enlistment may forward the complete report of the medical officer and his recommendations entered upon it that the man be enlisted to the adjutant-general of the state direct requesting that the enlistment of the man be authorized. The adjutant-general of the state shall return the papers with his action indorsed thereon direct to the officer authorized to approve the enlistment and the applicant may be enlisted if such action is favorable otherwise he shall be rejected.

d. If the recruit passes the physical examination the oath may be administered.

Before administering the oath the officer shall explain the nature of the service, the terms of enlistment, the character of the oath and the fines which may be imposed.

206. The enlistment or re-enlistment of persons of any of the following classes is prohibited: Former soldiers whose service during last term of enlistment was not honest and faithful or whose character was not at least good, insane or intoxicated persons, enlisted men of, or deserters from the military or naval service of the United States or any state, persons who have been convicted of felony or who have been imprisoned under sentence of a court in a reformatory, jail, or penitentiary. An enlisted man dropped by reason of removal shall not be enlisted or re-enlisted but shall only re-enter the service as an enlisted man as provided in M. L. 101.

207. Commanding officers of companies and the senior medical officer serving with a detachment of the hospital corps are recruiting officers for their respective commands.

208. Minors may be enlisted with the written consent to the minor's enlistment of the father, only surviving parent or legally appointed guardian. The recruiting officer must satisfy himself that the guardian has been lawfully appointed, and it must be stated after the latter's signature, when, where and how he or she was appointed the guardian of the recruit, whether by a last will and testament, by a surrogate, or otherwise; these signatures must be witnessed by two persons who know the parent or guardian to be such.

209. As soon as the oath is taken the enlistment paper shall be forwarded to the officer authorized in M. L. 97 to approve the same who shall promptly take action thereon and return the same to the forwarding officer.

210. For the purpose of computing the term of enlistment it will be deemed to commence on the date of taking the oath, but no enlisted man shall be entered in the descriptive book or other record or taken up on any report, return or roll or permitted to do military duty until his enlistment has been approved by the proper officer.

211. On the receipt of an enlistment paper approved by the proper officer the enlistment shall be immediately entered in the descriptive book of the command and the enlisted man shall be taken up on all records, reports and returns. Enlistment papers as soon as so entered shall be immediately returned to the officer who approved them and he shall forthwith forward them direct to the adjutant-general of the state.

212. A medical officer who makes a physical examination shall retain a copy of the report of the same which shall be filed at the post where the man is to serve, or in case of rejection, at the post where he was examined.

Re-enlistment.

213. No man shall be re-enlisted unless he shall have been discharged with character at least "good." Re-enlistment may be made by a man who cannot pass in all respects the physical examination required of recruits, if the existing defects will not prevent his performance of full military duty. In all such cases the defects and the fact that they existed prior to re-enlistment will be noted on Form 1 by the medical officer who shall also certify that in his opinion the candidate for re-enlistment is able to perform full military duty. It

is the intention to provide for the re-enlistment of men who have such defects as piles or varicose veins of moderate extent, the loss of certain fingers or toes, mutilations or deformities caused by gunshot or other wounds or other injuries, excessive weight, defects of vision as farsight and near-sight.

ARTICLE XIV.

TRANSFERS, DROPPING AND TAKING UP OF ENLISTED MEN.

Transfers.

220. An enlisted man who desires to be transferred from one company or command to another shall make application on Form 55 and personally obtain the approval of the commanding officer of the company or command to which he desires to be transferred. He shall then present the application to his immediate commanding officer for action. This officer shall forward the application for the action of all intermediate commanding officers [including the officer authorized to approve enlistments in the command to which the transfer is to be made] to the officer authorized to order the transfer. A copy of the order of transfer shall be furnished by the officer issuing it to the commanding officers of the companies and commands to and from which the transfer is made and to the enlisted man.

221. The immediate commanding officer of the man transferred shall furnish at once to the commanding officer of the command to which he is transferred a descriptive list, military record, percentage of duty performed in each year of his service and previous qualifications in small arms practice.

222. Upon their written request, approved by their parents or guardians, if they are minors, musicians enlisted as such and at least eighteen years old may be graded as privates by commanding officers of regiments, battalions not parts of regiments, signal corps, batteries, separate troops and companies, provided such grading will not increase the number of privates in excess of that allowed by law. When application is made for such transfer the musician shall be examined physically, and no musician shall be transferred who is not up to the standard required for enlisted men. Such officers may also grade privates as musicians without physical examination to complete the number allowed by law.

Dropping of Men.

223. An officer who desires to drop a man from the rolls shall make application on Form 57 to the officer authorized to approve the man's enlistment or in case of post quartermaster, post commissary or ordnance sergeant to the major-general who, if he approves the application, issues the order (Form 58).

224. The application and order shall state the cause for which the man is dropped.

Taking Up From Dropped.

225. When an enlisted man who has been dropped by reason of removal returns to the station of the command from which he was dropped within three years, the commanding officer thereof may apply

to the proper officer to have him taken up on the rolls (Form 59). The officer authorized to order the man taken up shall order the man to appear for physical examination. If the report of such examination be favorable such officer shall issue an order (Form 60) authorizing the taking up of the enlisted man on the rolls of the command.

226. An enlisted man who has been dropped for more than three years by reason of removal may be taken up at any time as provided in section 225 upon his own request in writing addressed to the officer authorized to issue the order, and such request must accompany the application.

227. An enlisted man who has been dropped by reason of removal may be taken up in an organization other than his former one as provided in sections 225 and 226. In such case the enlisted man who desires to be taken up shall request in writing, the consent of the officer under whose immediate command he served when dropped, stating the organization on whose rolls he desires to be taken up. If this officer approve the request he shall indorse his approval thereon and send it together with the enlisted man's descriptive list, percentage of duty performed in each year, and previous qualifications in small arms practice, to the officer upon whose order the enlisted man was dropped. If this officer approve the request, he shall return it with his approval indorsed thereon direct to the enlisted man. The enlisted man shall then make a written request to be taken up accompanied by these papers, addressed to the commanding officer of the command on whose rolls he desires to be taken up.

ARTICLE XV.

LEAVES OF ABSENCE, FURLOUGHES AND PASSES.

Leaves of Absence and Furloughs.

235. An officer is liable to be called for duty at any moment; he must never leave his station without proper authority. When not on duty under M. L. 113, 115 or 116, oral permission to be absent from his command for not to exceed ten days may be given to an officer by the commanding officer of the post. The commanding officer of a post may be absent not to exceed ten days at one time. Officers shall report absences as required by section 51.

236. Permission to leave the continental limits of the United States for more than ten days and permission for absence in excess of twenty-four hours when on duty under M. L. 113, 115 or 116 may be granted only by the commanding officer of the division.

237. Leaves of absence for periods not to exceed three months may be granted to officers of their respective commands by the commanding officers of regiments and battalions not parts of regiments, coast artillery districts and the colonel of the corps of engineers.

238. Leaves of absence for periods of not to exceed six months may be granted by the commanding officer of a brigade to officers of his command.

239. Leaves of absence to other officers and for other periods may be granted by the commanding officer of the division.

240. When an extension of a leave of absence would make the total time a longer period than the officer who originally granted the leave is authorized to grant, the application for extension shall be forwarded to the officer authorized to grant leave for the longer period.

241. When on duty under M. L. 113, 115 or 116 permission to be absent from a camp, post or station for not more than twenty-four hours may be granted to an officer by the commanding officer of the camp, post or station.

242. An application for a leave of absence or for an extension of leave, shall be made in writing addressed to the officer authorized to grant it, and shall state when it is desired that the leave shall commence, its duration and the address of the officer while on leave.

243. A leave of absence is granted in orders (Form 48) and a copy shall be sent to the adjutant-general of the state and to the officer to whom the leave is granted.

244. An officer returning to duty from a leave of absence shall report in writing on the day his leave expires, or before, should he desire to surrender a portion of his leave, to the officer by whom his leave was granted, and forthwith shall make himself acquainted with all the orders issued during his absence.

245. Leaves of absence shall be granted in terms of months and days, as "one month," "one month and ten days." A leave of absence commences on the day following that on which the officer departs from his proper station. The day of departure, whatever the hour, is counted as a day of duty; the day of return as a day of absence. Leave for one month, commencing on the first day of a calendar month, shall expire with the last day of the month, whatever its number of days. Commencing on an intermediate day, the leave shall expire the day preceding the same day of the next month.

246. An enlisted man shall not leave his post or station without the permission of his immediate commander. Such permission if for more than three days is called a furlough and if for a less time a pass.

247. The words "the officer ordering any military duty who alone can excuse therefrom as provided" in M. L. 118 mean "the officer by whose order the duty is specifically fixed and defined as to date, place and character." Subordinate officers shall not excuse absence from duty ordered by higher authority.

248. When on duty under M. L. 113, 115 or 116 furloughs shall be granted by the commanding officer of the camp or post. At other times furloughs may be granted to enlisted men of their commands for a period not to exceed three months by the colonel of the corps of engineers, the commanding officers of regiments, coast artillery districts, battalions not part of regiments, companies of signal corps, separate troops and batteries and the field hospital.

249. Application for a furlough shall be made by an enlisted man to his immediate commanding officer who may grant it if authorized. If not authorized he shall forward the same if he approves it to the proper officer for his action. Furloughs shall be granted on Form 49.

Passes.

250. The general provisions respecting passes shall be prescribed by the commanding officer of the post or camp.

251. The form of a pass should be simple and substantially as follows:

Camp Fort Orange, N. Y.
 Approved.
 By order of the Commanding
 Officer.
 JOHN A. DOE,
 Captain, 1st Infantry,
 Adjutant.

Company A, 1st Infantry, N. G., N. Y.
 Camp Fort Orange, N. Y.
 January 2nd, 1910.

Private Henry A. Stoe has permission
 to be absent from nine A. M. until nine
 A. M., twenty-four hours.

RICHARD A. ROE,
 Captain.

ARTICLE XVI.

RESIGNATION OF OFFICERS.

260. An officer tendering his resignation (Form 76) shall deliver it to his immediate commanding officer, who shall forward it for the action of the governor. Upon receipt of such resignation by the officer authorized to make a nomination or order an election for the vacancy which may be thereby created, he shall

a. If the officer tendering his resignation is accountable for public property, designate an officer to take charge of such property until a successor to the officer tendering his resignation has qualified. The officer tendering his resignation shall invoice and turn over such property of the officer designated, take receipts therefor, prepare and execute his final property returns and necessary vouchers and deliver such papers and vouchers to the officer designating the receipting officer.

b. If the officer tendering his resignation is responsible for public property, designate an officer to take charge of such property until a successor to the officer tendering his resignation has qualified. The officer tendering his resignation shall make inventory of such property which shall be verified by the officer accountable for the same. The property shall then be turned over to the officer designated to take charge of it who shall receipt therefor to the officer tendering his resignation who shall deliver the inventories and receipts as provided in subdivision a of this section.

c. For all officers, before forwarding the resignation, certify that the officer tendering his resignation is not indebted to the State or to his command and that he has turned over all United States, State, regimental, battalion, or company property and funds for which he has been accountable or responsible and that he is not under arrest or returned to any military court. He shall, in case of an officer accountable for public property, forward with the resignation, papers and vouchers prepared pursuant to subdivision a of this section.

261. A final property return shall be made by an accountable officer who resigns, retires, is discharged, transferred, rendered super-

numery or is separated by promotion, from the property for which he is accountable. This return shall be made on the form used for the annual return of property, and a copy of the order designating the officer to take over the property and his receipt therefor shall accompany the return.

262. An officer in arrest or against whom charges have been preferred may tender his resignation, which shall be forwarded accompanied by a copy of the charges if written, otherwise by a report of the case made by the officer authorized to make the certificate required by subdivision c of section 260. In this case the certificate required by subdivision c of section 260 shall not be made.

263. An officer shall be held for service until his discharge is delivered to him or he is served with notice in the manner provided by M. L. 117, of the granting of such discharge.

ARTICLE XVII.

DISCHARGE OF ENLISTED MEN.

270. An enlisted man commissioned as an officer shall, upon taking the oath of office, be discharged as an enlisted man and receive the form of discharge to which he is entitled.

271. A man enlisted as chief or principal musician or private of the hospital corps, shall be discharged when his services are no longer required.

272. When an enlisted man has served his term of enlistment or re-enlistment and requests his discharge, his immediate commanding officer shall forthwith apply for the form of discharge to which the man is entitled (M. L. 103). An immediate commanding officer may in his discretion apply for the discharge of an enlisted man whose term of enlistment has expired.

If the application is for a full and honorable discharge the officer making such application (Form 77) shall certify therein that the man has performed the percentage of duty required by M. L. 103 to entitle him to such discharge.

273. When a soldier's term of enlistment expires while he is awaiting trial or sentence by a military court, if he applies for his discharge he shall be discharged (honorably, without honor or dishonorably, according to circumstances) on the date of the receipt of an order publishing the case or otherwise disposing of it, and the discharge shall be dated accordingly.

274. A commanding officer who applies for the discharge of an enlisted man for the good of the service, shall make application in writing directed and forwarded to the officer authorized to issue the discharge. The application shall contain a brief statement of the grounds upon which the discharge is applied for.

275. The officer receiving such application shall cause the enlisted man to be served with a copy of the same and a notice stating the time and place at which he may be heard in person to explain the statements contained therein, which notice and copy of application

must be served on the enlisted man at least ten days before the date fixed for such hearing in the manner provided by M. L. 117, for warning for duty. The original application notice, proof of service thereof, and a statement of the action taken thereon, signed by the officer hearing the application, shall be filed by such officer at his headquarters.

276. A commanding officer who believes an enlisted man under his command to be physically disabled for the proper performance of duty, shall order him to report to a medical officer for medical examination. If the medical officer after examination is of the opinion that the enlisted man is physically unfit, he shall so report in his own handwriting (Form 79). If this report be unfavorable the commanding officer shall discharge the enlisted man if he is authorized to do so and if he is not authorized to take such action he shall apply to the proper officer who shall issue a proper form of discharge.

277. When it comes to the knowledge of a medical officer that an enlisted man belonging to the organization with which he is serving has a disability which would disqualify him for enlistment he shall recommend him for discharge except

a. When the disability existed at the time of enlistment, and was waived by the adjutant-general of the state, and has not increased since enlistment;

b. After an acute illness when, if recommended by the medical officer, a delay not to exceed six months for full convalescence may be permitted; and

c. When a cure may be obtained by an operation when a delay of three months for the performance of an operation is permitted.

If the recommendation of the medical officer be approved by the officer authorized to issue a discharge the enlisted man shall be discharged as provided in section 276. If the recommendation be disapproved it shall be forwarded with the reasons therefor to the commanding officer of the brigade of which the enlisted man's command is a part and in all other cases to the commanding officer of the division, who if there is any disagreement as to the existence of the alleged cause of physical disability may cause the man to be re-examined physically by a board of three medical officers. If this board concurs in the recommendation of the medical officer the commanding officer of the division or brigade shall direct the discharge of the man and he shall be discharged accordingly. The medical officer who examines the man in the first instance shall keep a copy of this report.

Among the diseases for which a discharge for physical disability must be given are included epilepsy, syphilis, all forms of tuberculosis, urethral discharge lasting more than six weeks, all forms of drug habit, and mental aberration.

An official copy of a discharge granted for physical disability and the original certificate of the medical officer and the original proceedings of a board shall be forwarded to the adjutant-general of the state.

278. Applications for discharge shall be made by the proper officers as follows:

For a full and honorable discharge, Form 77.

For an honorable discharge of a man whose term of service has expired but who is not entitled to a full and honorable discharge, Form 78. For a discharge prior to the expiration of the term of enlistment, Form 80.

For an honorable discharge by reason of physical disability, Form 79. 279. Discharges will be issued by the proper officer as follows:

- Full and honorable discharge of an officer, Form 81.
- Full and honorable discharge of an enlisted man, Form 82.
- Honorable discharge of an officer, Form 83.
- Honorable discharge of an enlisted man, Form 84.
- Discharge by reason of disbandment, Form 85.
- Discharge of an officer or enlisted man, Form 86.
- Discharge without honor of enlisted man, Form 121.
- Dishonorable discharge, where such is by orders, Form 87.

280. A full and honorable discharge shall be given only on the form furnished by the state; all other discharges shall be given in orders, using prescribed forms, when practicable.

281. When an enlisted man is discharged by expiration of service, his discharge will take effect on the last day thereof — *i. e.*, if enlisted on the second day of the month his term will expire on the first day of the same month in the last year of his term of enlistment.

When a soldier immediately re-enlists after discharge, the re-enlistment will be completed on and bear the date of the day following that of discharge. His service will then be continuous.

282. The percentage of duty to be performed by an enlisted man to entitle him to a full and honorable discharge shall be computed for each year of his service. Each year shall be reckoned from the day of the month on which his enlistment commenced. At the end of his service if his record shows that in each year of it he has performed at least 70 per cent. of all ordered duty, he is entitled to a full and honorable discharge in so far as duty performed is concerned; if, however, it appears that in any year he has performed less than 70 per cent. of ordered duty he may in the discretion of his commanding officer be continued in service to make up such deficiency. To make up such deficiency the enlisted man must perform so much of lawfully ordered duty as will make the aggregate percentage of such duty performed by him in each year during his total service 70 per cent.

ARTICLE XVIII.

DECEASED OFFICERS AND SOLDIERS.

290. The death of an officer, with cause and date, shall be reported without delay by his immediate commander to the adjutant-general of the state. When the death occurs away from the officer's station, in hospital, or on leave, the medical officer, if one be present, or any officer having cognizance of the fact, shall make the report. The death of a retired or supernumerary officer will be reported by the commander

of the organization in which the deceased formerly served. If such organization has been disbanded or the death occurs at a place other than its station, a report shall be made by any officer aware of the fact.

291. If at the time of his death a commissioned officer was accountable or responsible for public property and funds, his commanding officer shall appoint a board of officers, three when practicable, which shall make inventories of the same and turn it over on invoices and receipts to an officer designated by the commanding officer to receive it, and take such further action as may be necessary to make a final settlement of the officer's accounts.

292. The same procedure shall be followed in the case of an officer who is incapacitated from making his final statement.

293. The date, place and cause of death of an enlisted man shall be immediately reported by his immediate commanding officer to the commanding officer of the post or station where the enlisted man served and if the death occurred while the enlisted man was on duty the report shall specify whether the death was the result of wounds, injuries or disease incurred in the line of duty. If the death take place in a military hospital the medical officer in charge shall make the report and specify whether the death was the result of wounds, injuries or disease incurred in the line of duty. A copy of the report shall be forwarded by the officer making it to the adjutant-general of the state.

When it is desired to bury an enlisted man in uniform, his uniform may, with the approval of the commanding officer of the post or station where he served, be used for that purpose, and it shall thereupon be dropped from the returns of the accountable officer and the commanding officer's certificate of such action shall accompany the annual property return of the officer accountable for such uniform.

294. Amounts not exceeding in the aggregate \$100 due to a deceased officer or an enlisted man from the state under M. L. or R. may be paid to his widow or next of kin without requiring administration, provided no demand therefor is made by a duly appointed legal representative within sixty days after the death of the officer or enlisted man.

ARTICLE XIX.

POSTS.

300. Armories and arsenals where troops are stationed shall be considered as posts.

301. The commander of a post shall be responsible for its safety and defense, and for the discipline, drill, and instruction of his command, to which ends all other garrison duties shall be made subservient. He shall be responsible for the preservation and proper application of public property, for the strict enforcement of laws and regulations, and for the proper conditions of quarters and defenses. (See section 1013.)

302. Whenever repairs are required to an armory the officer in charge thereof shall make prompt report in conformity with M. L. 20 of what is required and the necessity therefor, to the armory commission, except in the city of New York, where such report shall be made to the armory board under M. L. 183.

In a building containing more than one armory requisitions for repairs to the roof or a portion thereof shall be made by the commanding officer whose quarters or armory extend to the portion of the roof requiring repairs.

303. The introduction of wine, spirituous or malt liquors, into any arsenal or armory, except when prescribed for medical purposes by a medical officer, is strictly prohibited.

304. The use in armories of roller skates of all patterns and of footwear having any spike, nail or other device that will scratch, deface or injure flooring is prohibited.

305. The course of procedure provided in the M. L. to provide for repairs, alterations, supplies and furnishing of armories shall be strictly adhered to and all other methods of securing funds and appropriations especially the solicitation of subscriptions from citizens are strictly forbidden.

306. The officer in charge of an armory situated outside the city of New York shall annually prepare and on or before the first of October submit to the commanding officer of the brigade to which his command is attached, otherwise to the major-general, the itemized estimate of necessary expenditures provided for in M. L. 182, to be submitted to the supervisors of the county. In the city of New York the officer in charge of an armory shall annually prepare, and before September 1st, submit to the armory board of the city, the itemized estimate of necessary expenditures for the ensuing year, provided for in M. L. 183.

307. An officer having charge and control of an armory shall annually on or before April 30th make and file on Form 99 the inventory and return of property provided for in M. L. 195.

ARTICLE XX.

DIVISION AND BRIGADES.

312. The commanding officer of the division and the commanding officer of a brigade shall respectively take all such action as may be necessary to fully discharge the duties imposed on them by M. L. 110.

ARTICLE XXI.

CORPS OF ENGINEERS.

317. For the purposes of administration, drill and instruction the colonel of the corps of engineers and the officers serving under his command, with the organized battalions, shall be considered a provisional regiment, and the provisions of these Regulations as to regiments shall be applicable thereto.

ARTICLE XXII.

COAST ARTILLERY CORPS.

322. The chief of coast artillery shall have supervision over the supply, maintenance and accountability, for all coast artillery material and property.

For the purposes of administration, drill and instruction the Coast Artillery Corps shall be considered a provisional brigade under the command of the chief of coast artillery as brigade commander and the provisions of these Regulations as to brigades and brigade commanders shall be applicable thereto.

323. For the purposes of administration, drill and instruction the troops of the Coast Artillery Corps serving in a coast artillery district shall be considered a provisional regiment and the provisions of these Regulations as to regiments shall be applicable thereto.

324. The artillery engineer in each artillery district shall have control over and be accountable for all property pertaining to fire control, power, search light and communicating systems and over all emplacements, batteries and accessories thereto.

325. The ordnance officer of a coast artillery district shall be accountable for property similar to that for which an ordnance officer serving with a regiment of infantry, is accountable.

ARTICLE XXIII.

REGIMENTS AND BATTALIONS.

330. In the cavalry, field artillery, and infantry arms the regiment is the administrative unit. The headquarters of a regiment shall be at such place as may be designated by the governor. The regiment is composed of two or more battalions each composed of two or more companies. The battalion, in a regiment, is not an administrative unit and has no separate records; it is purely a tactical unit conveniently organized for instruction or maneuver, and particularly for combat, either as an integral part of the regiment to which it belongs or separated from it. It is appropriately commanded by a field officer, normally a major, regularly assigned in orders. In the absence of its regular commander the command devolves upon the senior officer of the battalion on duty with it, unless a field officer has been assigned to command it. Whenever incomplete battalions of the same or different regiments are serving together, the commanding officer may form them into provisional battalions, and similarly, in the case of incomplete regiments, he may designate provisional regiments.

331. A regimental commander shall supervise the instruction of the officers of his command and shall continually labor for the instruction and efficiency of his regiment. He shall encourage among his officers harmonious relations and a friendly spirit of emulation in the performance of duty. His timely interference to prevent disputes, his advice to the inexperienced, and immediate censure of any conduct liable to produce dissension in the regiment or to reflect discredit upon it, are of great importance in securing and maintaining its efficiency. In such efforts he shall receive the loyal support of his subordinates.

332. The commanding officer shall assign companies to battalions and may from time to time transfer them from one battalion to another. He shall also assign majors to command battalions and may from time to time transfer them. A copy of the order of assignment or transfer shall be forwarded to all superior headquarters.

333. The adjutant, under the direction of the commanding officer, shall have charge of the various rosters of service; he shall make, publish, and verify all details, keep the records of the regiment, and perform such military duties with troops as are required by Regulations. Through him the commanding officer communicates with the officers and men of his command.

The adjutant should be courteous to and on friendly terms with the officers of the command he represents, and shall avoid all discussions of the orders or military conduct of his superiors. He should inform himself upon all points of military usage and etiquette, and on proper occasions aid with his advice and experience the subalterns of the regiment, especially those just entering the service. He shall endeavor at all times to exert the influence belonging to his station in sustaining the reputation, discipline and harmony of the command.

334. Under the regimental commander the adjutant is responsible for the discipline and efficiency of the band and is its commanding officer; and the adjutant, quartermaster and commissary are responsible for the discipline and efficiency of the non-commissioned staff officers reporting to them respectively. Officers of staff corps and departments serving with regiments and battalions are responsible for the discipline and efficiency of the non-commissioned officers and other enlisted men reporting to them respectively.

335. The non-commissioned staff of a regiment consists of the regimental sergeant major, regimental quartermaster sergeant, regimental commissary sergeant and two color sergeants. The battalion non-commissioned staff consists of the battalion sergeant major, and in the corps of engineers and field artillery troops battalion quartermaster sergeant.

336. A regimental commander shall cause suitable men in sufficient number to be fully instructed in managing and cooking the ration, and that necessary utensils and implements for cooking and field mess furniture are always on hand.

337. Regulations for a regiment apply also to a battalion not part of a regiment unless otherwise specially provided.

ARTICLE XXIV.

TROOPS, BATTERIES AND COMPANIES.

342. The commanding officer of a company is responsible for its appearance, discipline, drill and efficiency; for the care and preservation of its equipment; for the proper performance of duties connected with its subsistence, pay, clothing, accounts, reports and returns, and for the practical and theoretical instruction of his officers and non-commissioned officers.

343. In the absence of its captain the command of a company devolves upon the subaltern next in rank who is serving with it, unless otherwise specially directed.

344. Captains shall require their lieutenants to assist in the performance of all company duties, including the keeping of records and the preparation of reports and returns.

345. Captains of batteries, separate troops, companies of signal corps and separate companies of infantry, in addition to the duties of captains in regiments, shall perform the duties prescribed for quartermasters, commissaries of subsistence and ordnance officers for their respective commands.

346. The company commander shall cause the enlisted men of the company to be numbered and divided into squads, each under the charge of a non-commissioned officer. As far as practicable the men of each squad will be quartered together.

347. In camp or at posts where companies are not joined in a general mess the company commander shall supervise the cooking for and messing of his men. At least one officer shall inspect the food and its issue at each meal and the kitchens and utensils at a reasonable time after each meal.

The company commander shall cause suitable men in sufficient number to be fully instructed in managing and cooking the ration and that necessary utensils and implements for cooking and field mess furniture are always on hand.

348. It is the duty of lieutenants to assist the captain in all his duties, and to prepare themselves to assume command when occasion requires.

349. Non-commissioned officers shall be carefully selected and instructed, and always supported by company commanders in the proper performance of their duties. They shall not be detailed for any duty inconsistent with their rank and position. Officers shall be cautious in reproving them in the presence or hearing of private soldiers.

350. Non-commissioned officers shall be examples of neatness, cleanliness and soldierly conduct. They shall be respected and implicitly obeyed by subordinates.

351. Chiefs of squads shall be held responsible for the cleanliness of their men. They shall see that those who are to go on duty put their arms, accoutrements and clothing in the best order, and that such as have passes leave the post in proper dress.

352. Company commanders shall see that all public property in the possession of enlisted men is kept in good order, and that missing or damaged articles are duly accounted for.

353. Company commanders are responsible for textbooks and other official publications issued for the use of their companies.

354. The company commander shall require all men who are returned as "sick" whether at sick call or subsequently to report at the next regular sick call until they are returned "for duty" by the medical officer.

355. Strict attention shall be paid by enlisted men to the policing of their quarters or tents. They must keep their persons clean and be neat in appearance. The hair shall be kept short and the beard neatly trimmed.

356. A set of addressed notices shall be kept on hand in each company for use in emergencies.

357. Warnings for duty shall be given by the officers or non-commissioned officers as directed by their commanding officers.

358. Each company for the purpose of warning for duty shall be divided into squads in charge of a non-commissioned officer.

359. Each non-commissioned officer shall always keep in his possession a list of the addresses of the men under his immediate command or whom he may be required to warn for duty.

360. Officers and non-commissioned officers who warn others for duty shall make a return of such service. (Form 47).

361. The returns of service shall be carefully preserved so that they can be produced when required.

ARTICLE XXV.

DRESS, ARMS AND ACCOUTREMENTS.

370. The uniform and equipments of officers and enlisted men will be prescribed in special regulations published by authority of the governor.

371. No officer or enlisted man shall wear parts of civilian dress with parts of the uniform, but shall wear civilian dress entirely or uniform complete as prescribed.

372. No uniform or military equipment shall be worn outside the state unless the authority of the governor has first been obtained.

373. A civil employee or servant shall not be permitted to wear any article of uniform of the kind or pattern prescribed for issue to troops.

374. Enlisted men shall not take their arms apart except by permission of a commissioned officer under proper supervision, and only in the manner prescribed. The polishing of blued or browned parts of small arms, rebluing or rebrowning, putting any portion of an arm in a fire, or removing a receiver from a barrel, is prohibited. The mutilation of any part by filing or otherwise, and attempts to beautify or change the finish, are prohibited. Pieces shall be unloaded before being taken to quarters or tents, and as soon as the men using them are relieved from duty, unless otherwise ordered. The use of tompons in small arms is forbidden. The prohibition in this paragraph of attempts to beautify or change the finish of arms in the hands of enlisted men is not construed as forbidding the application of raw linseed oil to the wood parts of the arms. This oil is considered necessary for the preservation of the wood, and it may be used for such polishing as can be giving by rubbing in one or more coats when necessary. The use of raw linseed oil only shall be allowed for redressing, and the application for such purpose of any kind of wax or varnish, including heelball, is strictly prohibited.

Pistols shall be kept in cases if possible, otherwise in holsters, each marked with the number of the enlisted man.

Sabres shall be kept free from rust, slightly oiled, and always in their scabbards.

375. It is forbidden to use any dressing or polishing material on the leather accoutrements or equipments of an enlisted man, horse equipments or harness, except the preparations approved by the ordnance department, U. S. A., for that purpose.

376. Equipments shall be fitted to the men under the direction of an officer; all other changes are prohibited.

377. Property in the possession of a command shall be marked with the number or letter of the command followed by the letters "N. Y." and the number of the article. In the case of companies, the letters "N. Y." shall be followed by the company letter and the company number of the article:

For brigades;

1 BRIGADE, N. Y. 1.

For the chief of coast artillery;

C. C. A. 1 (chief coast artillery).

For regiments;

1 N. Y. 1 (for headquarters and N. C. S.).

1 N. Y. A1 (for company).

For separate battalions the letters "BN." shall be placed between the number of the organization and the letters "N. Y.":

1 BN. N. Y. 1 (for headquarters and N. C. S.).

1 BN. N. Y. A1.

For batteries of field artillery the letters "BY." shall be placed between the number of the organization and the letters "N. Y.":

1 BY. N. Y. 1.

For signal companies the letters "S. C." shall be placed between the number of the organization and letters "N. Y.":

1 S. C. N. Y. 1.

For cavalry the letter of the squadron or troop shall precede the letters "N. Y." and be followed by the troop number, separate troops to prefix the letters "TR." to the organization letter:

A. N. Y. 1 (for headquarters and N. C. S.).

A. N. Y. 1—1.

TR. B. N. Y. 1.

For band the letters "BAND" and for hospital corps the letters "H. C." shall be used in place of the company letters:

1 N. Y. BAND 1.

1 N. Y. H. C. 1.

For the field hospital the letters "F. H." shall precede the letters "N. Y.":

1 F. H. N. Y. 1.

All property shall be marked as above by means of a large 2-inch stencil, a small $\frac{1}{2}$ -inch stencil or a $\frac{1}{4}$ -inch die, as hereafter prescribed. Stencils and dies for this purpose will be issued by the adjutant-general of the state as marking kits and shall be used.

378. Articles shall be marked as follows:

Axe, with small stencil on side of head.

Blanket, with large stencil in lower left-hand corner.

Bayonet, with die on wood of handle.

Belt, waist, with die on grain side near buckle.

Belt, field cartridge, with small stencil on inside.

Blanket roll strap, with die on grain side near buckle.

Bridle, curb, with die on crown piece and reins.

Bridle, watering, with die on reins.

- Breeches, with small stencil on right front pocket.
Bed sack, with small stencil in lower left-hand corner.
Buzzacott oven, with large stencil (white paint) on both ends.
Carriers for hand axe, with small stencil outside to right of strap.
Carriers for intrenching shovel, with small stencil on outside above the strap.
Carriers for pick mattocks, with small stencil on upper band of carrier.
Cartridge box, revolver, with die on inside of flap.
Cartridge box, rifle, with die on inside of flap.
Canteen, with small stencil in center of convex side.
Canteen strap, with small stencil near end.
Cup, with die on handle.
Curry comb, with die on handle.
Coat, full dress, with small stencil on right shoulder sleeve lining.
Coat, olive drab, with small stencil on right shoulder sleeve lining.
Coat, fatigue, with small stencil on inside of right sleeve at shoulder.
Cap, with die on sweat-band on right side.
Cymbal, with die on outside near handle.
Cymbal pouch, with die on grain side at top.
Drum, snare, with die on shell.
Drum, bass, with die on shell hoop.
Drum sling, snare, with die on grain side near buckle.
Drum sling, bass, with die on grain side near buckle.
Drum stick, with die midway of length.
Emergency case, with small die on outside under U. S. A. mark near upper left-hand corner.
Emergency case straps, with small die on grain side three inches from each hook.
Fork, with die on handle.
Frog, with die on inside.
Gun sling, with die on flesh side near hook.
Field range, with large stencil (white paint) on both ends.
First aid packet, with small stencil on back.
Haversack, with small stencil on center of outside flap.
Holster, revolver, with die on inside of flap.
Haversack-canteen strap, with die on grain side near hook.
Hospital corps knife, with die on wooden handle.
Hospital corps knife scabbard, with die on body side.
Horse brush, with die on strap.
Halter, with die on crown piece and strap.
Handles for pick mattocks, with small die on side near head.
Hand axes, with small die on side of head.
Hatchet, with small stencil on head.
Horse cover, with large stencil on right flank.

- Intrenching shovels, with small die on side of handle near blade.
- Knife, with die on handle.
- Knot, sabre, with die on strap near knot.
- Link, with die in center.
- Litter, with small stencil on pole.
- Lariat strap, with die near buckle.
- Legging, with small stencil on inside near top.
- Lantern, with die on rim of bottom.
- Mallet, with small stencil on head.
- Meat can, with die on both halves.
- Message pouch, with die on back.
- Nose bag, with small stencil on front.
- Overcoat, with small stencil on right sleeve lining at shoulder.
- Poncho, with large stencil on lower left-hand corner of cloth side.
- Pickaxe, with die on head.
- Pick mattock, with small stencil on side of head.
- Pistol, with die on left side of butt.
- Pitchfork, with die on handle near ferrule.
- Picket pin, with die near ring.
- Pail, with small stencil on outside near bail.
- Pouch for first aid packet, with small stencil on outside of flap.
- Pouch for H. C. and orderly, with small stencil on outside of flap.
- Rifle, with small stencil on right side of stock lengthwise of the stock, one inch from butt plate.
- Rifle scabbard, with die near hook.
- Rake, with die on handle near ferrule.
- Suspenders for field cartridge belt, with small stencil on body side of both.
- Spoon, with die on handle.
- Sword, with die on guard.
- Sabre, with die on guard.
- Sabre strap, with die on grain side near buckle.
- Saddle, with die on pommel and on stirrups and stirrup straps.
- Saddle bag, with die on flap near buckle.
- Service hat, with die on sweat band on right side.
- Surcingle, with die on strap near buckle.
- Shovel, with small stencil on handle near end.
- Spade, with small stencil on handle near end.
- Tent, conical wall, with large stencil over entrance; also on hood.
- Tent, hospital, with large stencil under ventilator.
- Tent fly, hospital with large stencil at end on inner side near ridge.
- Tent, wall, with large stencil under ventilator.
- Tent, shelter half, with large stencil on outside of half, one foot from and on a line parallel with bottom edge at the middle seam.
- Tent fly, wall, with large stencil at end on inner side near ridge

Tent pole, with small stencil near upper end.
Tent ridge, with small stencil near end.
Trousers, with small stencil on right front pocket.
Two foot rules, with small die on inside.
Wire cutters, with small die on side of head.

Articles not above enumerated shall be marked with the marking outfit issued upon the same principle, wood and leather with the die and other articles with stencils of appropriate size; small stencil for small articles and large stencil for large articles.

ARTICLE XXVI.

HONORS, COURTESIES AND CEREMONIES.

General Rules for Outdoors and Indoors.

383. All officers shall salute on meeting and in making or receiving official reports. Military courtesy requires the junior to salute first, but when the salute is introductory to a report made at a military ceremony or formation, to the representative of a common superior—as for example, to the adjutant or officer of the day—the officer making the report, whatever his rank, shall salute first; the officer to whom the report is made shall acknowledge, by saluting, that he has received and understood the report. When under arms, the salute is made with the sabre if drawn; otherwise with the hand. A mounted officer shall dismount before addressing a superior not mounted.

384. When an enlisted man without arms passes an officer he salutes with the hand farthest from the officer. If mounted, he salutes with the right hand. Officers shall be saluted whether in uniform or not.

385. An enlisted man, armed with the sabre and out of ranks, salutes all officers with the sabre if drawn; otherwise he salutes with the hand. If on foot and armed with a rifle, he makes the rifle salute. A mounted soldier shall dismount before addressing an officer not mounted.

386. Officers and enlisted men at all times and in all situations shall pay the same compliments to officers of foreign services, officers of the army, navy, marine corps, organized militia of other states and volunteers as to officers of the State of New York.

387. Officers shall at all times acknowledge the courtesies of enlisted men by returning salutes given, in the manner prescribed in drill regulations. When several officers in company are saluted, all who are entitled to the salute shall return it.

388. Before saluting at a halt or when meeting or passing an officer an enlisted man shall come to attention.

389. On being addressed by a superior officer, an officer or enlisted man shall halt if not already at a halt, face and salute the superior officer.

390. An enlisted man, if seated, shall rise on the approach of an officer, face toward him, and salute. If standing, he shall face the officer for the same purpose. If the parties remain in the same place

or on the same ground, such compliments need not be repeated. Soldiers actually at work do not cease work to salute an officer unless addressed by him.

391. An enlisted man shall make the prescribed salute with the weapon with which he is armed or if unarmed whether covered or uncovered, with the hand, before addressing an officer. He shall also make the same salute after receiving a reply.

392. All salutes in passing or approaching shall be begun by the junior at six paces distance or at six paces from the nearest point of passing and in rendering them the hand shall not be dropped or the sabre brought to the carry until the salute has been acknowledged or the party or person saluted passed. No salutes except as otherwise prescribed shall be made at greater distances than thirty paces.

393. A prisoner in charge of a sentinel shall not salute.

394. No honors are paid by troops on the march or in trenches, except that they may be called to attention, but personal salutes between officers and enlisted men are not omitted, unless they cause exposure to danger. No salute is rendered when marching in double time or at the trot or gallop.

395. A non-commissioned officer or private in command of a detachment on foot without arms shall salute all officers with the hand, but if the detachment be armed with the rifle, he makes the rifle salute, and if armed with a sabre he salutes with it. The detachment shall be brought to attention, before the salute is rendered. If the officer saluted be the commanding officer or his superior, the command, "eyes right," shall be given.

396. The president of the United States; a sovereign or chief magistrate of a foreign country; governors of states and territories; the vice-president or the president of the senate; members of the president's cabinet; the chief justice and speaker of the house of representatives of the United States; the lieutenant-governor, the speaker of the assembly and mayor of a city of this state; American or foreign ambassadors, envoys or ministers shall be saluted by officers and enlisted men in the same manner as officers of the national guard.

397. Officers inside of a house or tent, although visible from the outside, shall not be saluted.

398. At a reception, outdoors, it is proper to uncover if the person receiving be uncovered. At an official reception or social occasion indoors, officers shall uncover though in full uniform.

399. An officer at all times when on duty or when attending in uniform at official or social functions shall wear his uniform complete as prescribed in the uniform regulations, except that in attending dances in full dress uniform the belt, or belt and slings may be worn without the sabre.

400. Enlisted men shall always address an officer by his title; when on duty an officer addressing another officer shall do the same.

When not on duty a lieutenant may be addressed as "Mister," and a lieutenant medical corps as "Doctor;" but when on duty, especially with troops, the title "Lieutenant" shall be used.

When off duty senior officers sometimes address juniors by their surnames, but this does not give the junior the privilege of addressing his senior in any other way than by his proper title. Whenever there is a difference in grade the junior shall address the senior by his title. Officers of the same grade may address one another by their surnames.

401. A junior walks, rides or drives on the left of a senior and in the first case always keeps step with him. When entering or leaving a house or camp if it be necessary, the junior should secure admission or passage for the party. In entering a room the senior precedes, in departing the junior of the party leads when the senior has indicated his desire to leave; juniors take seats when the senior is seated and rise with him.

402. A vessel of war is approached and boarded, by commissioned officers, by the starboard side and gangway. In entering a boat, the junior goes first and other officers follow in order of rank; in leaving a boat, the senior goes first. The senior acknowledges the salutes which are given at the gangway of a naval vessel.

403. All officers and men whenever reaching the quarter-deck, either from a boat, from below or from forward, or upon leaving it to go over the side, shall salute the national ensign. This salute shall be returned by the officer of the watch on hand; it shall be distinct from the salute to the officer of the deck or other officers, at the gangway and will invariably be required if omitted.

404. An officer visiting a military post or camp whether on duty or not shall call upon the commander thereof as soon as practicable after his arrival. If the visiting officer be senior to the commanding officer the former may send a card in which case it becomes the duty of the commanding officer to make the first call.

405. When a civil officer entitled to a salute arrives at a military post, the commanding officer shall meet or call upon him as soon as practicable and shall tender him a review if the garrison consists of not less than four companies. When a general officer visits a post within his command, the troops shall be paraded for review, unless he directs otherwise. When a salute is to be given an officer junior to another present at a post, the senior shall be notified to that effect by the commanding officer.

406. Whenever "The Star Spangled Banner" is played by the band on a formal occasion at a military station, or at any place where persons belonging to the military service are present in their official capacity, all officers and enlisted men present shall stand at attention, such position being retained until the last note of "The Star Spangled Banner." The same respect shall be observed toward the national air of any other country, when it is played as a compliment to official representatives of such country. Whenever "The Star Spangled Banner" is played under circumstances contemplated by this section, the air shall be played through once without repetition of any part, except such repetition as is called for by the musical score. The playing of "The Star Spangled Banner" or any part thereof as part of a medley is prohibited.

Special Rules for Outdoors.

407. For the purpose of paying honors, the halls and drill rooms in an armory or arsenal, and a porch or veranda, stores, theaters, railway or steamboat station shall be considered as outdoors.

408. A non-commissioned officer or private in command of a mounted detachment shall salute, bringing it to attention, as prescribed in section 395.

409. The national or state color or standard, uncased, passing a guard or other armed body shall be saluted, the musicians sounding "to the color" or "to the standard." Officers or enlisted men passing the uncased color shall render the prescribed salute; with no arms in hand, the salute shall be made by uncovering, the headdress being held in the right hand opposite the left shoulder, right forearm against the breast.

410. The commanding officer shall be saluted by all commissioned officers in command of troops or detachments. Troops under arms shall salute as prescribed in drill regulations.

411. The officers named below shall be received with standards and colors dropping, officers and troops saluting, and the band and musicians playing, as follows: The president, the president's march; the governor or the general of the United States army, the general's march; the lieutenant-general of the United States army or the governor of any other state or territory when within this state, the officer commanding the division of the national guard of this state, trumpets sounding three flourishes or drums beating three ruffles; a major-general, two flourishes or two ruffles; a brigadier-general, one flourish or one ruffle.

To the vice-president, the members of the cabinet, the chief justice, the president of the senate, the speaker of the house of representatives, American or foreign ambassadors, and governors within their respective states and territories the same honors shall be paid as to the general; to the lieutenant-governor and speaker of the assembly of this state, the assistant secretary of war and to American or foreign envoys or ministers the same honors as to the lieutenant-general; to the mayor of a city of this state the same honors as to a brigadier general; to officers of the navy the honors due to their relative rank; to officers of marines and organized militia and volunteers when in the service of the United States, the honors due to like grades in the regular service; to officers of a foreign service the honors due to their rank.

412. In addition to the foregoing, occasions of a public nature frequently arise when salutes are both desirable and proper. Appropriate orders shall be given in such cases.

413. On drill and during formations, no salutes shall be rendered by or to troops or officers commanding them.

414. In camp, the tents and company streets are the company quarters, and when an officer enters the quarters, the non-commissioned officer in charge, or the first man who perceives him, shall salute, giving first the command "company, attention," which shall be

executed and maintained by all until the officer leaves the quarters; in this case "attention" is the salute.

415. Under no circumstances shall the flag of a military post be dipped by way of salute or compliment.

416. The interchange of official compliments and visits between foreign military and naval officers and the authorities of a military post is international in character and opens the way to official and social courtesies among the officers. In cases of vessels of war, foreign or otherwise, recently arrived, it is the duty of the post commander to send a suitable officer to offer civilities and assistance. This is called the "boarding visit," and it is expected that this civility will be returned. Within twenty-four hours thereafter, weather permitting, the officer in chief command of the ship or ships should visit the officer in command of the post or station, should the latter be his equal or superior in grade. This visit shall be returned within twenty-four hours. Should the naval officer in command be superior in grade to the officer commanding the post or station the first visit shall be paid by the latter.

417. When a military commander officially visits a vessel of war, he shall give notice in advance of his intention to do so. He is received at the gangway by the commander of the vessel and is accompanied there by the same officer when leaving. The officer who is sent with the customary offer of civilities is met at the gangway of a vessel of war by the officer of the deck, and is presented by the latter to the commander of the vessel.

418. Naval vessels fire personal salutes to officers entitled to them when the boats containing them have cleared the ship. It is an acknowledgment of the salute by the officer saluted for his boat to lie on her oars from the first until the last gun and for him to uncover; at the conclusion, to give way. Personal salutes are not returned by military posts.

419. In case of vessels of war of foreign powers at peace with the United States lying in our ports or harbors celebrating their national festivities, the commander of each fort, battery, or military post may participate in the celebration by firing salutes, parading commands and the like. In such a case the flag of the United States will be hoisted and lowered simultaneously with that of the ship on board of which the celebration occurs.

420. When boats are rowing in the same direction, an inferior is not to pass a superior in grade unless he is on urgent duty, or authorized by the superior.

When boats are pursuing opposite directions, the rule of the road to prevent fouling is that both shall "put their helms to port," i. e., pass to the right, circumstances permitting.

When boats are approaching the same landing or vessel, an inferior is always to give way to a superior in rank.

Boats about leaving a ship's side or landing are to give way in ample time to others approaching.

It is not proper to land over another boat without permission, and only when it cannot be avoided is permission to be asked.

421. A vessel of war on which the president of the United States is traveling displays the president's flag at the main. In case of foreign sovereigns, vessels display the royal standard of the sovereign in like manner.

422. When the governor of this state is traveling on a vessel of war manned by the naval militia the governor's flag is displayed at the main.

Special Rules for Indoors.

423. The commanding officer of a post shall regulate the manner of rendering honors in the parts of an armory used solely for recreation, athletic exercises or games, such as the library, billiard room, bowling alley, gymnasium, bath room. All other parts of a post except drill rooms and halls shall for the purpose of paying honors be considered as indoors.

424. In quarters, or anywhere indoors, soldiers are supposed to be uncovered as they would be in their civilian homes.

425. Coming indoors an officer or enlisted man uncovers if unarmed; if armed or on armed duty he does not uncover.

426. On official occasions officers, when indoors and under arms, do not uncover, but salute with the sabre if drawn; otherwise with the hand. If not under arms, they uncover and stand at attention, but do not salute except when making or receiving reports.

427. Indoors, an unarmed enlisted man uncovers and stands at attention upon the approach of an officer; he does not salute unless he addresses or is addressed by the officer. If armed, he salutes as heretofore prescribed, without uncovering.

428. When an officer enters the quarters, or a place indoors where there are enlisted men, the man who notices him first gives the command "attention," upon which all come to attention, and the senior non-commissioned officer or if there be none present the private who gave the command "attention" joins the officer. If there should be any one covered, he uncovers at the command "attention," unless he be under arms and on armed duty, in which case he comes to attention only. The position of attention is held by all until the officer who acknowledges the courtesy with the hand salute has left or directed "as you were." Should the officer remain he uncovers unless under arms. The men come again to "attention" at the command of the non-commissioned officer or private attending the officer when the latter is about to leave and the officer acknowledges the courtesy. When at meals soldiers do not rise, but they cease eating and preserve silence until the courtesy is acknowledged by the officer.

Salutes with Cannon.

429. The provisions relating to salutes with cannon do not apply to armories.

430. Salutes with cannon shall be fired under the charge of commissioned officers, who shall be present at the firing and direct it.

Guns using metallic-case ammunition shall be used whenever practicable; in their absence other breech-loading guns should preferably be

used. Muzzle-loaders will be used only when breech-loaders are not available. When using muzzle-loading guns a sufficient number should be employed, if practicable, to avoid the necessity of firing the same gun a second time.

For muzzle-loading guns, or breech-loaders using cartridge bags, the bags shall be made of silk, measuring in length at least one and one-half times their diameter, and care shall be taken that the sponges are not worn and that they thoroughly fill the chamber or bore of the gun, and when the same gun is fired more than once, that the intervals between the discharges are sufficient to allow the chamber or bore to be thoroughly sponged and chamber of breech-loaders examined. Unless all of these conditions be fulfilled salutes shall not be fired with these classes of guns.

The minimum number of pieces with which salutes may be fired is 1 for rapid-fire and field guns using metallic-case ammunition, 2 for breech-loaders using cartridge bags, 4 for siege, and 6 for sea coast guns. When practicable, rapid-fire guns shall be used for saluting purposes.

431. The rapidity with which pieces are discharged during a salute depends upon their caliber. Subject to the restrictions of section 430, guns of 4-inch caliber or less should have intervals of five seconds between discharges; guns of over 4-inch caliber, ten seconds.

When a single field gun is used to fire a salute the interval between discharges should be ten seconds.

432. When muzzle-loading guns are used, the pieces for a salute should, if possible, be of the same or equivalent caliber. If the number of guns in the saluting battery admits of it, the entire number required and two or three over should be loaded and made ready previous to commencing the salute; the detachments are then dispensed with, and a single cannoneer at each piece discharges it at the proper time. When the number of pieces is insufficient for the entire salute, as many as possible should be used so as to avoid frequent reloadings.

The pieces are numbered from right to left — 1, 2, 3, and so on — and each detachment or the cannoneer, as the case may be, is made clearly to understand the number of the piece.

At the proper moment the officer in charge commands: "Number 1, Fire!" and observing the proper interval, "Number 2, Fire!" and so on to the left piece, when he returns to the first and repeats the same commands until the entire number required for the salute is discharged. In order to preserve regularity in the firing he will not concern himself with the running number, but shall have a capable person to keep count and notify him when the required number of discharges is made. In giving the command "Fire" he shall look toward the piece to be fired, and give it in such a pronounced manner, accompanied by a signal with his sabre, as to be unmistakable. The cannoneer discharging a piece when its number is called casts his eye to the officer and, observing the signal as well as the command, fires the piece promptly. Should a piece miss-fire, the officer immediately commands the next to fire and allows the piece that has missed

to remain undischarged until its proper turn comes again. Immediately after each piece is discharged it is reloaded and made ready if there is probability of its being fired again.

When troops are drawn up for the reception of a dignitary, and it is practicable to have a battery of field guns on the ground, a salute from it should form part of the ceremony; otherwise guns in position are used. When field guns are used, it is appropriate to fire the salute at the place of review, and at the time just previous to the review when the personage arrives on the ground.

433. Salvos are simultaneous discharges from several cannon; they correspond to volleys of musketry and are fired by way of salute only over the graves of officers at the time of burial. The order designating a funeral escort prescribes whether the fire shall be three volleys of musketry or three salvos of artillery.

434. Salutes shall not be fired between sunset and sunrise, and not on Sunday unless required by international courtesy. As a general rule, salutes will be fired between 8 A. M. and sunset. The national flag shall always be displayed at the time of firing a salute.

National Salutes.

435. The national salute is twenty-one guns. It is also the salute to a national flag.

The salute to the Union, commemorative of the Declaration of Independence and consisting of one gun for each state, is fired at noon on July 4th at every post provided with suitable artillery.

Personal Salutes.

436. Personal salutes shall be fired as follows:	Guns.
The president, both on his arrival at and departure from a military post, or when in its vicinity. No other salute is fired in his presence	21
The sovereign or chief magistrate of a foreign country receives the salute prescribed for the president, and members of a royal family receive the salute due their sovereign.	
An ex-president of the United States	21
The vice-president of the United States and governor of this state.	19

When officials other than those named visit military posts, they receive salutes as follows:

President of the senate and American or foreign ambassadors	19
Members of the cabinet, the chief justice, the speaker of the house of representatives, a committee of congress or of the legislature of this state officially visiting a military post, the lieutenant-governor of this state, governors of other states or territories, or a governor-general, and the civil governor of the Philippine Islands	17
The assistant secretary of war or the assistant secretary of the navy or the speaker of the assembly of this state, when officially visiting a military post; the vice-governor of the Philippine Islands and American or foreign envoys or ministers	15

Ministers resident accredited to the United States.....	13
The mayor of a city in this state.....	11
Chargés d'affaires	11
Consuls-general accredited to the United States.....	9
The general	17
The lieutenant-general	15
Major-general	13
Brigadier-general	11

The term "governor-general" shall be construed to mean an administrative officer under whom officers with the title of governor are acting.

437. As a rule, a personal salute shall be fired when the personage entitled to it enters a post.

When several persons, each of whom is entitled to a salute, arrive together at a post, the highest in rank or position alone shall be saluted. If they arrive successively, each shall be saluted in turn.

An officer assigned to duty according to his brevet rank is entitled to the salute prescribed for the grade to which he is assigned.

A retired general officer making an official visit shall be saluted according to his rank.

An officer, whether civil, military, or naval, holding two or more positions, either of which entitles him to a salute shall receive only the salute due to the highest grade. In no event shall the same person be saluted in more than one capacity.

Personal salutes at the same place and in compliment to the same person, whether civil, diplomatic, military, or naval, shall never be fired oftener than once a year, unless such person has been in the meantime advanced in rank.

438. Officers of the United States army and of the navy according to relative rank; officers of marines; of the national guard and naval militia of this or another state; of the volunteer forces of the United States and officers of foreign services shall be saluted according to rank.

Parades, Reviews and Escorts of Honor.

439. Organizations of the military forces of the state shall not parade or take part in any political or religious demonstrations.

440. Except when ordered by superior authority no military unit shall be taken outside the county in which its post is situated without the permission of the commanding officer of the brigade of which it is a part or to which it is attached, otherwise of the commanding officer of the division. When troops are to be taken out of the state the permission of the governor of this state shall first be obtained.

441. A regularly tendered review shall not be preceded by a drill or other ceremony without the consent of the reviewing officer.

Reviews, escorts of honor and other ceremonies shall not be tendered by commanding officers of organizations of the national guard to any one as a matter of compliment, without the consent of the general officer under whose immediate command such commanding officer is

servicing or of the commanding officer of the division, except as provided in section 405 and in the drill regulations.

442. The practice of presenting medals and trophies during the ceremony of battalion or regimental review or parade, is prohibited. The time to make such presentation is after the termination of the ceremony.

443. Escorts of honor may be composed of any or of all arms. They are detailed for the purpose of receiving and escorting personages of high rank, civil or military, when they arrive and depart. The troops for this purpose shall be selected for their soldierly appearance and superior discipline, and shall be formed and maneuvered as prescribed in the authorized drill regulations. The post commander or other officer ordering the escort in each case shall detail an officer to attend the personage escorted, and to bear communications from him to the commander of the escort.

Funeral Honors.

444. When the funeral of an officer, who was entitled to a salute with cannon, takes place at or near a military post, minute guns shall be fired while the remains are being borne to the place of interment, but the number of guns shall not exceed that to which the officer was entitled as a salute. After the remains are deposited in the grave a salute corresponding to the rank of the deceased shall be fired, in addition to three salvos of artillery or three volleys of musketry.

445. During the funeral at or near a military post of a civil officer, who was entitled to a salute, the flag shall be displayed at half staff and minute guns shall be fired. The number of guns shall be that to which the officer was entitled as a salute.

446. On the death of an officer the flag at the post at which he was serving shall be displayed at half-staff and so remain between reveille and retreat until retreat on the day of his funeral.

447. On the death of an enlisted man the flag shall be displayed at half-staff between reveille and retreat on the day of his funeral.

448. When the flag is displayed at half-staff it shall be lowered to that position from the top of the staff. It shall be afterwards hoisted to the top before it is finally lowered.

449. The funeral escort of a major-general shall consist of a regiment of infantry, two troops of cavalry, and a battery of field artillery; of a brigadier-general, a regiment of infantry, a troop of cavalry, and a platoon of field artillery; of a colonel, a regiment; of a lieutenant-colonel or a major, a battalion; of a captain, a company; of a lieutenant, a platoon. The funeral escort of a general officer, or any other officer, when the funeral occurs at any other place than a home station, shall only be ordered by the commanding officer of the division and shall consist of such number of troops, not exceeding that prescribed in this section, as the interests of the service will permit to be assembled for that purpose.

450. The funeral escort of an officer shall be commanded by an officer of the same grade; if none such be present, by one of the next

lower grade available. The ceremony is prescribed in the drill regulations.

451. The funeral escort of a post, regimental or battalion non-commissioned staff officer shall consist of sixteen men, commanded by a sergeant; of a sergeant, of fourteen men commanded by a sergeant; of a corporal, of twelve men commanded by a corporal; of a private, of eight men commanded by a corporal; of an enlisted man of field artillery, one section.

452. Six pallbearers shall be selected, as far as practicable, from the grade of the deceased.

453. Officers and enlisted men attending military funerals shall wear uniform (full dress if practicable) and side arms and in the funeral procession follow the mourners in order of rank, seniors in front.

454. The commanding officer of the division, of a brigade or of a regiment or battalion may order the colors or standards to be placed in mourning or draped on the death of an officer. Two streamers of crape seven feet long and about twelve inches wide attached to the ferrule below the spearhead will be used for the purpose.

455. The badge of military mourning is a knot of black crape worn upon the sabre or sword hilt for a period not to exceed thirty days.

456. As family mourning officers may wear a straight band of crape five inches wide around the left arm above the elbow.

457. The drums of a funeral escort shall be covered with black crape or thin black serge.

Ceremonies.

458. All ceremonies shall be conducted as prescribed in the authorized drill regulations.

459. At armories and arsenals the flag shall be hoisted at eight o'clock in the morning and lowered at five o'clock in the afternoon.

At every other military post or station the flag shall be hoisted at the sounding of the first note of the reveille, or of the first note of the march, if a march be played before the reveille. The flag shall be lowered at the sounding of the last note of the retreat, and while the flag is being lowered the band shall play "The Star Spangled Banner," or, if there be no band present, the musicians shall sound "to the color." When "to the color" is sounded by the musicians while the flag is being lowered the same respect shall be observed as when "The Star Spangled Banner" is played by the band, and in either case officers and enlisted men out of ranks shall face toward the flag, stand at attention, and render the prescribed salute at the last note of the music.

460. On Memorial Day, May 30th, if troops are in camp or on field service the national flag shall be displayed at half-staff from sunrise till midday, and immediately before noon the band, or musicians, shall play some appropriate air, and the national salute of twenty-one guns shall be fired at 12 M. at all posts and stations provided with artillery. (See section 429.) At the conclusion of this

memorial tribute, at noon, the flag shall be hoisted to the top of the staff and shall remain there until sunset. When hoisted to the top of the staff, the flag shall be saluted by playing one or more appropriate patriotic airs. In this way fitting testimonial of respect for the heroic dead and honor to their patriotic devotion will be appropriately rendered. On all armories and arsenals the national flag shall be displayed on Memorial Day as herein prescribed for troops in camp or on field service.

ARTICLE XXVII.

SMALL ARMS PRACTICE.

470. The object of small arms practice is to educate troops so as to render their fire as effective as possible. It is a most essential part of the instructions of the soldier. Small arms practice is a military duty; all officers and enlisted men are, therefore, required to practice on the armory and field ranges unless excused by proper authority.

471. Small arms practice shall be conducted and reports thereof made in accordance with orders and the regulations for small arms firing.

472. No firing on a field range on general or supplementary practice days or on occasions of authorized matches shall be permitted unless an officer of the medical corps or a competent physician is present; nor unless proper medical stores are immediately available on the range. In case the medical officer ordered for duty at such practice fails to attend, the officer in charge of the range is authorized to detail any physician who is a member of the national guard and present to act as medical officer or to employ a qualified civilian physician for that duty; and to purchase necessary medical stores. The officer in charge of the range shall prefer charges, under M. L. 134, against the officer of the medical corps who fails to attend small arms practice when ordered.

ARTICLE XXVIII.

ROSTER, DETACHMENTS AND DAILY SERVICE.

The Roster.

480. A roster is a list of officers or men for duty, with a record of the duty performed by each. Generally details for duty are so made that the one longest off is the first for detail. Details so made are said to be made by roster.

481. All details for duty shall be made by roster to insure an equal distribution of the duties among those liable to such details.

482. In addition to the company roster there should be kept by the first sergeant, the sergeants and corporals, a pocket roster to be used to call the roll when necessary, and to make details suddenly called for when the official roster at the moment is not obtainable. This roster shows the names and grades of the men of the company with columns to the right to mark in pencil the duties they are on or the cause of authorized absence. The first sergeant when not calling

the roll, but receiving the reports of the corporals, should have a list of those authorized to be absent, comparing it, as the reports are made, with the latter, so as to be able to report those absent without authority. The roster to be kept by sergeants and corporals should contain the information necessary to enable them to warn men for duty and to account for them.

483. Rosters for battalions, regiments and brigades are kept on the principle of a company roster.

484. All details for service in garrison and in the field, except the authorized special and extra-duty details, shall be by roster; but officers or enlisted men when detailed must serve whether a roster be kept or not.

485. The duties performed by roster are of two classes. The first comprises (a) outposts; (b) interior guards, including stable guards; (c) detachments to protect laborers on military works; (d) armed working parties on such works. Soldiers march armed and, if necessary, fully equipped on all duties of this class. The second class comprises all other duties and fatigue, in or out of the garrison or camp. The rosters are distinct for each class.

486. Lieutenant-colonels and majors are on one roster, and may be detailed when the importance of the duty requires it. In the field their roster is kept at division and brigade headquarters. Captains form one roster, and are exempt from ordinary fatigue duties. A captain commanding a battalion is exempt from detail and duty falling to him passes. Lieutenants form one roster, but when conditions make it advisable captains and lieutenants may be placed on one roster, or one or more of the senior lieutenants may be placed on the captain's roster. Sergeants, corporals, musicians, and privates form distinct rosters.

487. Unless otherwise ordered by the commanding officer, officers, non-commissioned officers, and privates take duties of the first class in the order stated in section 485, viz., the first for detail takes the outposts, the next the interior guards, and so on. In those of the second class the senior officer takes the largest party. The party first for detail takes the service out of camp.

488. In making details by roster, an officer or enlisted man is each day charged with the number of days that he has remained present and available since the beginning of his last tour. Departures from this rule may be authorized by the commanding officer whenever a strict application would allow improper advantage or work hardship.

489. The name of an officer or enlisted man returned to duty with his company from detached service, extra, or special duty, is placed at the foot of the roster (i. e., his turn for detail does not come until all those who have not been detailed before the date of the return of the officer or soldier, have had their tour); he practically has come off detail duty at the time of returning to duty with his company.

490. An officer or enlisted man returning from leave of absence or furlough, or from arrest to duty, if he has missed a tour of duty becomes the first for detail, otherwise he takes his regular turn.

491. When an officer has been detailed and is not present or available at the hour of marching, the next after him takes the duty. When an outpost has passed the chain of sentinels, or an interior guard has reached its post, the officer whose tour it was cannot take it unless so ordered by the commanding officer.

492. Duties of the first class are credited on the roster when the guards or detachments have passed the chain of sentinels or an interior guard has reached its post; other duties, when the parties have entered upon their performance.

493. An officer or enlisted man on duty of the first class, or who is next for detail for such duty, is available, when relieved, for duty of the second class that has fallen to him during that time. Except in emergencies no duty shall be required of the old officer of the day or the old guard until four hours after they have been relieved.

494. Detachments of the signal corps shall be exempt from detail for any other duty, except when in the judgment of the commanding officer the importance of the duty will not permit exemption.

495. A coast artillery corps non-commissioned staff officer shall not be detailed upon any service not pertaining to his proper position unless the necessities of the service require such detail.

496. Chief and principal musicians and musicians should not be required to serve in any other capacity or grade. Members of the hospital corps should not be required to perform any duties other than those pertaining to their corps.

Detachments.

497. As far as the exigencies of the service will permit, detachments for armed service shall be formed by taking battalions, companies, platoons, or other subdivisions in turn, according to the roster.

498. Officers or enlisted men detailed for detached service while on other duty shall be relieved from that duty, if practicable, in time to march with the detachment.

499. When a detachment is to be formed from the different organizations of a command, the adjutant or adjutant-general forms its contingent, verifies the details, and sends it to the place of assembly, or turns it over to the detachment commander.

500. When detachments meet, the command shall be regulated while they serve together as if they formed one command, but the senior officer cannot prevent the commander of any detachment from moving when he thinks proper to execute the orders he has received.

501. On the return of a detachment its commander shall report to the headquarters from which he received his orders.

Daily Service.

502. When on duty under M. L., 113, 115 or 116 there shall be daily at least two roll calls, viz., at reveille and retreat. Commanding officers may also order roll calls in special cases at such times as they deem necessary. The roll shall be called on the company parade by the first sergeant superintended by a commissioned officer. Ordi-

narily there shall not be formation for roll call at tattoo, but the prescribed signal shall be sounded and fifteen minutes thereafter all noises and loud talking shall cease. Call to quarters shall be sounded before taps. At taps all lights not authorized by the commanding officer shall be extinguished.

In camp and garrison the commanding officer shall fix the hours for reports, issues and roll calls, and for the performance of stated duties, and fatigues. In garrison, retreat shall be not later than sunset. The signals shall be sounded by the musicians in accordance with authorized drill regulations. Reveille roll call shall not ordinarily take place earlier than 5:30 o'clock A. M. in summer or 6:30 o'clock A. M. in winter; taps shall not ordinarily be sounded later than 11 o'clock P. M.

503. There shall be sounded daily calls to breakfast, dinner and supper. Meals for enlisted men shall be served promptly at the hours appointed, and the duties of the post or camp, as far as compatible with the requirements of the service, shall be so arranged that all the men may be present. The men shall be allowed at least twenty minutes for breakfast and supper and thirty minutes for dinner.

504. The result of a roll call shall be reported before the companies have been dismissed to the officer superintending the call, who shall report the result to the commanding officer.

505. After breakfast, and after stable duty in the mounted service, the tents or quarters and adjacent ground shall be policed by the men of the companies and the guardhouse or guard tent by the prisoners, or by members of the guard if there be no prisoners.

The members of the guard coming off duty one day shall ordinarily constitute the regular fatigue party or general police for the next day, and shall report at the first drill-call of the day to the senior non-commissioned officer of the old guard, who shall prepare, while on guard, a list of their names and companies. This non-commissioned officer shall report the men absent and present to the provost sergeants and the provost sergeants shall be ready at the proper time and place to receive their details.

ARTICLE XXIX.

ADDRESSES.

510. Each officer and enlisted man shall in writing over his signature report the address of his residence and place of business and in like manner report all changes therein, as follows:

a. Brigadier-generals, brigade commanders and commanding officers and field officers of organizations not attached to a brigade, to the commanding officer of the division.

b. An officer serving on the staff of a brigade; a field officer of an organization attached to a brigade, to his brigade commander.

c. An officer of, or attached to, a regiment or battalion not part of a regiment, to his regimental or battalion commander. In addition a lieutenant in a company, to his immediate commander.

d. A non-commissioned staff officer, to the headquarters at which he serves except a non-commissioned staff officer in the medical department who shall report to the senior officer of the medical corps under whom he serves.

e. An enlisted man in a company, to his first sergeant, and in addition, a private, to the chief of his squad.

511. The addresses so reported shall be entered in the proper registers, rosters and books and kept constantly posted. The failure to report addresses or to give notice of changes thereof shall bar the person in default from the plea of non-receipt of a warning for duty.

ARTICLE XXX.

FLAGS, COLORS, STANDARDS AND GUIDONS.

515. By "flag" is meant the emblem that is displayed from a flag-staff. By "colors" are meant the national and state flags carried by foot troops. By "standards" are meant the national and state flags carried by mounted troops. By "guidon" is meant a small guiding flag or streamer.

516. No ensign, pennon, streamer, or other banner of any kind other than the flags, colors, standards and guidons prescribed by these Regulations or otherwise authorized by the governor shall be used by the national guard or any officer or organization thereof.

517. The state flag is of blue bunting, thirty-six feet fly and twenty feet hoist, bearing in the center the arms of the state, and shall be used only on gala days and great occasions. It will be furnished to posts designated in orders.

518. The garrison flag is the national flag, of bunting, thirty-six feet fly and twenty feet hoist, and shall be used only on gala days and great occasions. It will be furnished to posts designated in orders.

519. The post flag is the national flag of bunting twenty feet fly and ten feet hoist. It shall be used at posts and camps occupied by troops and shall be hoisted in pleasant weather.

520. The storm flag is the national flag, of bunting, eight feet fly and four feet two inches hoist, and shall be used in stormy or windy weather.

521. For post and field hospitals, a flag of white bunting, six by four feet, with a red cross three feet high and three feet wide, of red bunting, in center; arms of cross to be twelve inches wide.

522. The colors of the governor: Of silk, five feet square, divided into three diagonal parts, the first part red, the middle part white, and the last part blue, beginning at the lance; in the center, the arms of the state of New York.

523. The colors of the commanding officer of the division shall be of blue silk, five feet square; in center, laurel wreath inclosing the state shield.

524. The colors of brigades shall be of red silk, four feet on the lance, five feet fly; made swallow-tailed, forty inches from lance to the fork of the swallow-tail; points of tails two feet apart; in center, a laurel wreath inclosing number of brigade, surmounted by the state shield.

525. The colors specified in sections 522, 523, 524 have a fringe of yellow silk, three inches wide, also cords and tassels of same color and material; the state shield and numbers to be embroidered in silk.

526. Battalions of engineers. The national color shall be of silk,

five feet six inches fly, four feet four inches on the pike; the union to be two feet six inches long, with stars embroidered in white silk on both sides of the union; the edges to be trimmed with knotted fringe of yellow silk two and one-half inches wide; the cord eight feet six inches long having two tassels and composed of red, white and blue silk strands. The official designation of the battalion shall be engraved in block letters one-fourth of an inch in height on a silver band five-eighths of an inch in width, one-sixteenth of an inch in thickness, said band to be placed on the pike at a point about three inches from the edge of the fringe. The state color shall be made of blue silk, same dimensions and pike as the national color; coat of arms of the state embroidered in the center parallel to the pike. Three to five inches below the scroll the designation of the organization (for instance 1st Battalion, Engineers, N. G., N. Y.) embroidered in white silk; the color to be trimmed on three sides with yellow silk knotted fringe two and one-half inches wide, the cord and tassels to be blue and white silk intermixed.

527. Engineer regiments. When engineer troops are organized into regiments battalion colors will not be used, but the following colors will be used by the regiment:

The national color shall be the same as prescribed in section 526, except that the inscription on the name plate shall be "1st Engineers, N. G., N. Y." The state color shall be the same as provided in section 526 except that the inscription on the scroll shall be "1st Engineers, N. G., N. Y."

528. Coast artillery corps. The national color shall be as prescribed in section 526, the official designation of the artillery district to be placed on the silver band.

The state color shall be the same as prescribed in section 526 except that the inscription on the scroll shall be "Coast Artillery Corps, N. G., N. Y." embroidered in scarlet silk.

529. Infantry regiments. The national color shall be as prescribed in section 526, the official designation of the regiment to be placed on the silver band.

The state color shall be the same as prescribed in section 526 except that the inscription on the scroll shall be "1st Infantry, N. G., N. Y." embroidered in white silk.

530. Standards for squadron of cavalry. For a squadron of cavalry, two silken standards. The first, the national standard shall be made four feet fly and three feet on the lance; the standard to be trimmed on three sides with yellow silk knotted fringe two and one-half inches wide; no cord or tassels; silver band same as prescribed for infantry national color.

The second, the state standard, of blue silk, shall be made four feet fly and three feet on the lance; the coat-of-arms of the state embroidered in silk in the center, parallel to the lance, three to five inches below the center scroll, the designation of the organization (for instance, Squadron A, Cavalry, N. G., N. Y.), the standard to be trimmed on three sides with yellow knotted fringe two and one-half wide; no cord and tassels.

531. Standards for battalion, field artillery. The national standard shall be the same as described in section 530. The state standard shall be the same as described in section 530 except the inscription on the scroll (for instance "1st Battalion, Field Artillery, N. G., N. Y.").

532. All pikes and lances for colors, standards and guidons shall be made in accordance with United States Army patterns.

533. Upon the order of the governor, service in which an organization has borne a meritorious part may be engraved upon silver rings, fastened to the pike or lance of the color or standard, the rings to be one inch wide, to be placed one-fourth inch apart, commencing one inch below the designation band on the pike or lance of the national color or standard, and one inch below the color or standard, on the pike or lance of the state color or standard. On the pike or lance of the national color or standard will be placed United States service, as Washington, 1861; Bull Run, 1861; Gettysburg Campaign, 1863; Spanish-American War, 1898, and the like; and on the pike or lance of the state color or standard will be placed state service, as Election Riots, 1834; Astor Place Riots, 1849; West Albany; Buffalo, 1892; Brooklyn, 1895, and the like.

534. The silken national and state colors or standards of a regiment, or battalion not part of a regiment, shall be carried in battles, campaigns and on all occasions of ceremony in which the headquarters of the regiment or battalion participates; on other occasions, they shall be left in proper custody at the station prescribed for the headquarters to which they belong.

535. All colors shall have a water-proof case or cover for protection.

536. Service colors and standards. A national color or standard made of bunting or other suitable material, but in all other respects similar to the silken national color or standard shall be furnished as follows: To each battalion of engineers, one color; to each regiment of infantry, one color for each battalion; to each squadron, one standard. The official designation of the regiment, battalion of engineers or squadron, shall be engraved on a silver band placed on the pike or lance.

These colors and standards are for use at drills, and on marches, and all service other than battles, campaigns and occasions of ceremony; but battalions detached from regimental headquarters, may use them upon all occasions. Not more than one national color or standard shall be carried when the regiment or any part of it is assembled.

537. Camp colors shall be as prescribed for flags, printed upon bunting 18 by 20 inches, on a pole of ash 8 feet long and 1 1-8 inches in diameter, the butt end armed with a pointed ferrule.

538. Each troop of cavalry shall have a guidon to be three feet five inches fly and two feet three inches on the lance, to be cut swallow-tailed fifteen inches to the fork; to be made of medium weight banner silk, United States army standard, and to consist of two horizontal stripes, each one half the width of the flag, the upper to be red and the lower white. The upper stripe to have on both sides in the center the letter of the squadron in white silk, and the lower the number of the troop in red silk, the letters "N. Y." in yellow silk to be placed

equally on both stripes four inches from the lance, the letters and numbers to be block shape four and three-quarters inches high and held in place by a border of needlework embroidery three-sixteenths of an inch wide of the same color. For separate troops the letter of the squadron will be omitted. This guidon shall be used only on occasions of ceremony.

There shall also be furnished to each troop of cavalry a similar guidon, except that it shall be made of bunting or other suitable material. This guidon shall be known as the service guidon.

539. Each battery of field artillery shall have a guidon to be three feet five inches fly and two feet three inches on the lance, to be cut swallow-tailed fifteen inches to the fork; to be made of medium weight scarlet banner silk, United States army standard, to bear in the center on both sides of the guidon two crossed field guns about fourteen and one-half inches in length, with the number of the battalion in upper and the number of the battery in lower angle, the letter "N" to be placed equally distant from the lance and the angle formed by the crossed field guns, and the letter "Y" equally distant from the angle of the swallow-tail and the angle formed by the crossed field guns, both letters to be midway of the height, the field guns, numbers and letters to be of yellow silk and to be held in place by a border of needlework embroidery three-sixteenths of an inch wide of same color, the numbers and letters to be block shaped four and one-half inches high. For batteries not parts of battalions the number of the battalion will be omitted. This guidon shall be used only on occasions of ceremony.

There shall also be furnished to each battery of field artillery a similar guidon, except that it shall be made of bunting or other suitable material. This guidon shall be known as the service guidon.

540. Each mounted company of the signal corps shall have a guidon of orange silk, dimensions and shape same as described for cavalry guidons; in the center on both sides of the guidon two crossed flags six inches square of white silk, with centers two inches square of scarlet silk, having staffs fifteen inches in length of yellow silk; the number of the company to be placed above, and the letters "N. Y." below the crossed flags, of white silk, block shaped, four and one-half inches high; lance same as for cavalry guidon.

This silken guidon shall be used only on occasions of ceremony. There shall also be furnished to each mounted company of the signal corps, a similar guidon except that it shall be made of bunting or other suitable material. This guidon shall be known as the service guidon.

541. Each field hospital shall have a guidon to be swallow-tailed, three feet five inches fly and two feet three inches on the lance, to be cut swallow-tailed fifteen inches to the fork; to be made of maroon silk, and to bear in the center on both sides of the guidon the letters "N. Y." block shaped, four inches high with a caduceus ten inches high between the two letters, the letters and caduceus to be of yellow silk and to be held in place with a border of needlework embroidery three-sixteenths of an inch wide, of the same color. This guidon shall only be used on occasions of ceremony. There shall also be furnished to

the field hospital a similar guidon except that it shall be made of bunting or other suitable material. This guidon shall be known as the service guidon.

542. Ambulance guidons and guidons to mark the way to field hospitals. To be of the best quality of United States standard bunting, body white, twenty-eight inches fly by sixteen inches hoist, with a red Geneva cross in the center twelve inches high and twelve inches wide; arms of cross to be four inches wide; to have a two-inch heading of same material as the guidon lined with heavy muslin for the pike to pass through.

543. When troops wear the service uniform the service guidon shall be carried. All guidons shall have a water-proof case or cover for protection.

ARTICLE XXXI.

ARMS OF THE NATIONAL GUARD.

550. The arms of the national guard (the state shield) shall be a shield with the arms of the state impaling those of the United States, the arms of the state upon the dexter side and those of the United States upon the sinister side, surmounted by the crest of the state, comprising the device, globe and eagle, and underneath all, the motto, "Excelsior."

ARTICLE XXXII.

MAPS AND RECONNAISSANCES.

555. The commanding officer of every body of troops ordered to march shall select a competent person, preferably a commissioned officer, to whom he shall intrust the special duty of making the field notes and sketches and keeping the journals hereinafter mentioned for the preparation of a map of the route traversed. The person so selected shall be relieved of so much of his routine duties as will enable him to perform this duty. Daily or more frequently the commanding officer shall inspect and verify the notes and journal.

556. Journals of marches shall be kept in notebooks, and route reconnaissances shall be recorded on blanks. The books and blanks shall be furnished by the state. If they cannot be obtained, they shall be prepared according to standard forms as nearly as practicable.

557. Notebooks shall be freely used, and to guard against loss of valuable data copies shall be made, verified and retained, and the originals forwarded to the adjutant-general of the state at every convenient opportunity. These notes shall not be omitted when passing over known routes.

General instructions for the use and preservation of instruments, the character of the observations to be especially made, and the methods of recording them will be found in printed notes in the book and on the form which the state supplies.

558. Requisitions shall be made upon the adjutant-general of the state for the necessary instruments, notebooks and reconnaissance blanks.

ARTICLE XXXIII.

ENCAMPMENTS.

563. In cantonments the troops occupy buildings in town or village or are sheltered in huts erected on their camp grounds. The term implies a considerable length of stay. Billeting is the assignment of officers and men to public or private buildings in towns or villages on or near the line of march. The stay is for one night only or at most for a few days.

In a camp the troops are sheltered under canvas.

In a bivouac the men rest on the ground without shelter.

564. The marking or defacing of tents, in any manner whatsoever, is strictly forbidden. Officers shall be held responsible for the observance of this regulation to which company commanders shall especially call the attention of chiefs of squads.

565. No signs or symbols shall be allowed in camp, except those authorized by the commanding officer.

566. To prevent tearing or straining the canvas, tent ropes shall be slackened at tattoo and during wet weather and tightened at reveille, or when the canvas is dry.

567. The calls for service shall be substantially as follows; the sequence and hours shall be fixed by the commanding officer:

First call for reveille.

Reveille.

Assembly, for roll call.

Mess call (for breakfast, dinner and supper).

Sick call.

Fatigue call.

Guard mounting.

Assembly, for formation of details.

Adjutant's call.

Drill call.

Assembly, for roll call and formation.

Recall from drill.

First sergeant's call.

First call for parade.

Assembly, for roll call and formation.

Adjutant's call for formation of battalions.

Adjutant's call for formation of regiment.

First call for retreat, assembly for roll call and formation, and retreat, if there be no parade.

First call for tattoo.

Tattoo.

Call to quarters.

Taps.

Church call.

Assembly for divine service.

Stable call.

Water call.

Issue call.

568. The first call is the first signal for formations for roll call. At first call the musicians assemble.

569. Reveille is the signal for all to rise and dress; at the last note of assembly following it the formation of companies on their respective parade grounds or company streets shall be completed. The first sergeant commands fall in, calls the roll or receives the squad leaders' reports and reports the result to the commissioned officer present at the formation.

570. At sick call the enlisted men of each company who require medical attention shall be conducted to the hospital by a non-commissioned officer, who shall give to the attending surgeon the company sick report book containing the names of the sick. The surgeon, after examination, shall indicate in the book, opposite their names, the men who are to be admitted to hospital and those to be returned to quarters, what duties the latter can perform, with any other information in regard to the sick which he may have to communicate to the company commander. It is proper and desirable that a command on its first day of taking the field should hold a sick call as soon as practicable after the camp is established.

571. At drill call officers and men not excused shall prepare to fall in.

572. At assembly and other calls requiring formations, companies and details shall form. Every man required to be present shall be in his place at the last note of the call. Formations for all roll calls shall be conducted carefully and promptly. Men shall fall in at the first sound of the assembly. As soon as a man takes his place in the ranks he must be at attention.

573. At mess call all men shall fall in for meals and the officer who is to supervise the issue of the meal shall proceed to the kitchen.

574. At guard mounting call, the men detailed for guard and as supernumeraries shall prepare to fall in; at the first sound of the assembly following it, the first sergeants shall form their respective details, inspect arms and uniforms closely; replace men not up to the standard of neatness; instruct their supernumeraries and non-commissioned officers in their positions at guard mounting, and at the first note of the march following the adjutant's call they shall march them off. The first sergeant is responsible for his guard detail.

575. At first sergeant's call, the first sergeants shall repair promptly to the adjutant's office, prepared to take down in writing orders dictated to them and the details made from their respective companies.

576. At fatigue call the details for work and police shall fall in and report. The commanding officer of each company furnishing a detail shall place it in command of a non-commissioned officer or private and cause a list of the names of those composing the detail to be furnished to him. The person commanding such detail shall report with the detail at the time and place appointed and deliver the list to the officer or non-commissioned officer in charge of the fatigue party.

577. At officers' call all officers shall immediately report to the commanding officer.

578. At captains' call, the commanding officers of companies shall immediately report to the commander of the organization.

579. Recall following immediately after any prescribed signal, indicates that the service for which that signal was sounded will not be required. Recall shall be promptly obeyed.

580. At call to quarters, all enlisted men not on duty shall report to their quarters and retire.

581. At taps, an inspection of the quarters of each company shall be made by an officer designated by the company commander, who shall report to the officer of the day and the commanding officer of his battalion the names of all enlisted men who may be absent without leave. This officer shall walk his company street after taps until absolute quiet is assured, and turn out, during the night, on the slightest breach of discipline in his company.

582. At issue call, which is sounded when rations are to be issued, company quartermaster-sergeants with their respective details shall report to the commissary's store house or store tent to receive rations.

583. A detail or company falls in at the head of the company street, i. e., the end nearest the officers' tents.

584. The officer present at reveille and retreat reports the result of the roll call to the adjutant of the battalion, who reports to his commanding officer and the regimental adjutant if part of a regiment, the latter reporting to the regimental commander. The commanding officers of battalions should be present at these formations and see that they are made promptly and properly by the companies of their respective battalions.

ARTICLE XXXIV.

GUARDS.

590. The authorized manual of guard duty is the guide in all matters relating to duties of guards not contained in these Regulations.

591. Quartermaster's supplies required for strictly post or police purposes, or for use by the post or camp guard, shall be supplied by the quartermaster on request from the officer of the day, approved by the commanding officer, and shall be continued on the returns of the quartermaster.

592. Articles so obtained shall be duly entered under the direction of the officer who receives them on a list of "articles in charge." They shall be carried on the list and verified daily under the direction of the officer of the day. When no longer fit for use they shall be submitted by the quartermaster for inspection and, if condemned, disposed of as ordered.

593. All persons, of whatever rank in the service, are required to observe respect towards sentinels; officers and enlisted men tampering with, molesting or in any way annoying them, or giving misleading answers to the challenge, shall at once be placed in arrest, or arrested. Officers and non-commissioned officers are forbidden to order a sentinel on post to give up his arms to them.

594. When not on duty under the provisions of M. L. 113, 115 or 116, and a guard is mounted in a regiment or battalion, as soon as the guard has marched to its quarters, the sergeant of the guard

shall proceed to the adjutant's office and obtain the guard report book, and enter therein the names of the non-commissioned officers and privates of the guard; this report shall be signed by the officer of the day and officer of the guard before the guard marches off. When on duty under sections 113, 115 or 116, this book is obtained by the sergeant of the guard from the adjutant's office (with the orders, if there be any) at first sergeant's call.

595. The names of prisoners are entered as follows: First, those who are undergoing sentence, known as general prisoners, commencing with the one who has the longest to serve; second, those who have or will have charges preferred against them; and, third, those who have no charges preferred against them.

596. To enable the officer of the guard to make his report correctly, he should be furnished with a transcript of sentences imposed on enlisted men, when those sentences are received for execution.

ARTICLE XXXV.

INSPECTION AND MUSTER.

600. Inspections and musters of troops shall be conducted as prescribed in the authorized drill regulations and in orders.

601. A list of the absentees alphabetically arranged with the reasons for absence, if known, shall be given to the mustering officer at the end of the muster.

602. At the muster of a company men sick in quarters, if able, and the recruits in the order named fall in on the left of the company in single rank in line with and two paces from the front rank; unarmed men when answering to their names, step one pace to the front and salute with the right hand. At the inspection of a company if recruits are to be inspected they fall in as above prescribed.

603. Special inspections and investigations within the limits of a command may be made under the orders of the commander thereof.

ARTICLE XXXVI.

ACTIVE SERVICE.

610. A commanding officer shall be prepared at all times for sudden mobilization of his command. Preparation shall include arrangements for obtaining subsistence supplies, wagon transportation and rapidly giving warning for duty.

611. A commanding officer shall give timely notice to the proper officers of all contemplated movements of troops and supplies, so that proper and sufficient transportation may be in readiness.

612. When a railroad station, at which troops would naturally entrain, is occupied or threatened by a crowd or mob, the commanding officer shall either cause the station to be cleared of people or cause sufficient ground near the station to be cleared for the reception of his command and the train. He shall then have the cars run inside his line of guards and proceed to entrain his men; the various military units being kept together so far as practicable.

613. Immediately on entrainment sentinels shall be posted at the doors of each car inside to prevent unauthorized persons from entering them and to keep men from riding on the steps or platforms of cars and from leaving the car without permission.

614. During all journeys the car or cars occupied by a company shall be under the immediate charge of a company officer.

615. When the train reaches its destination, the officers shall leave it first; the assembly being sounded, the men shall detrain and fall in opposite their cars.

616. Where there is reason to believe that the railway station at the destination will be obstructed by a crowd or mob, the train should be stopped before reaching it and a patrol sent out. If necessary the troops will be detrained outside but as near the station as practicable.

617. When troops are ordered into active service, the commanding officer of the force, of which they form a part, shall see that his commissary of subsistence makes the necessary arrangements for provisioning them properly on their arrival and thereafter. Commanding officers shall upon their departure notify the officer to whom they are to report of the time they leave their home stations, the probable hour of their arrival, and the number of officers and enlisted men in their respective commands.

ARTICLE XXXVII.

IN AID OF CIVIL AUTHORITY.

625. Respect for the civil authorities is the duty of all citizens, and especially of those in the military service of the state.

626. Commanding officers when called upon to aid the civil authority shall require the call and directions of the civil officer to be in writing and if the civil officer calling for aid is not one of those named in M. L. 115 the production by him of the statute on which he bases his authority shall also be required.

627. Upon a call made in conformity with the preceding section the military officer shall respond promptly and order out the military force under his command or the part thereof required, and shall immediately report his action as required by M. L. 115, 116.

628. If the orders of the civil officer do not extend to a direction of the general or specific object to be accomplished or if there be a conflict between public officers authorized to call to their aid the military force and who shall make such call; or, if contradictory, inconsistent, or unlawful directions be given by such officer or officers the military commander shall immediately report the facts to the governor in the most prompt manner possible using the telephone if available; and while awaiting his order shall himself so direct the troops as to secure the public peace and the due observance of the law agreeably to the call made upon him by the civil authority.

629. When called upon in aid of the civil authority the issue or use of blank ammunition is prohibited.

630. Every officer who may be required to move troops through a city or town, under orders to preserve the peace, shall provide him-

self, if possible, with an accurate map of the place, or a reliable guide, or both, unless he is personally well acquainted with the locality.

631. Officers, while acting in aid of the civil authorities, shall enforce the most exact discipline, and absolutely prohibit firing by any man without proper military authority. Officers in command of troops shall not weaken their main force by too many detachments and shall always have available a sufficient body to act with effect.

632. Commanding officers may cause the troops to arrest all rioters and other persons found in open resistance to the civil authorities, and are empowered and required to overcome such resistance, and secure and keep the peace by the use, if necessary, of their arms and all the power which they possess, but they are not authorized to punish any person for any offense. Persons arrested shall be delivered to the civil authorities.

633. Commanding officers acting in aid of the civil authorities shall employ only so much force and of such a kind as will accomplish the purpose for which the service of the military was required.

634. Troops called into action against a mob or riotous assemblage are governed by the laws of the state and the Regulations for the military forces thereof and apply military tactics in respect to the manner in which they shall act to accomplish the desired end. It is purely a tactical question in what manner they shall use the weapons with which they are armed, whether by fire of musketry and artillery or by the use of the bayonet and sabre, or by both, and at what stage of the operations each or either mode of attack shall be employed. This tactical question shall be decided by the immediate commander of the troops, according to his judgment of the situation. The fire of troops should be withheld until timely warning has been given to the innocent who may be mingled with the mob. This warning shall be given by a civil officer if one be present, otherwise the immediate commanding officer of the troops shall give or cause the same to be given. Troops shall never fire into a crowd unless ordered by their commanding officer, except that single selected sharpshooters may shoot down individual rioters who have fired upon or thrown missiles at the troops. As a general rule the bayonet alone should be used against mixed crowds in the first instance. But as soon as sufficient warning has been given to enable the innocent to separate themselves from the guilty, the action of the troops should be governed solely by the tactical considerations involved in the duty they are ordered to perform. They should make their blows so effective as to promptly suppress all resistance to lawful authority, and should stop the destruction of life the moment lawless resistance has ceased. Punishment belongs, not to the troops, but to the courts of justice.

635. The honest and reasonable judgment of the officer commanding troops as to the measure of force demanded, in a case of apparent necessity, is all that is required by the law, and his lawful command will be sufficient protection to all who are subject to his orders.

636. All persons who, by their presence, give countenance to a riot, are principals whether they engage in acts of violence or not; especially after notice is given to disperse.

637. The troops are authorized to defend from attack or aggression their persons, their arms, any place or building in which they may be stationed and any property or persons under their protection; in case of any sudden onset upon the troops, or any place or building occupied by them, or other urgent circumstances requiring instant attack or resistance, the notice and other measures preliminary to the action of the troops may be dispensed with, the order to fire will be given by the military commander on the spot, but it is not for every slight attack that the troops will be authorized to fire; there must appear to be a necessity for so doing, and that other less serious measures will not suffice to secure the safety of the troops or of the property or persons under their protection.

638. A civil officer charged with the execution of process on making his official character known to a commanding officer shall be afforded by him every reasonable facility for the lawful discharge of his duty.

ARTICLE XXXVIII.

ADJUTANTS-GENERAL.

645. The adjutant-general of a division or a brigade has especial charge of the books and records of his office. He conducts the official correspondence of his organization. He is the commanding officer's medium of communication with his command, and all information for the commanding officer reaches the latter through him. He shall be familiar with the books, papers, returns and reports of all subordinate organizations, their form, purpose, use and destination in order to aid and facilitate the administration of the command.

ARTICLE XXXIX.

INSPECTORS-GENERAL.

650. Inspectors-general shall exercise a comprehensive and general observation within the command to which they may be respectively assigned over all that pertains to the efficiency of the troops, the condition and state of supplies of all kinds, of arms and equipments, of the expenditure of public property and moneys and the condition of accounts of all disbursing officers of every branch of the service, of the conduct, discipline, and efficiency of officers and troops, and shall report with strict impartiality in regard to all irregularities that may be discovered. From time to time they shall make such suggestions as may appear to them practicable for the correction of any defect that may come under their observation.

651. An inspector-general shall not give orders unless specially authorized to do so, and then only in the name of the superior giving such authority. He should refrain from informal conversation or comment upon subjects under investigation.

652. Inspectors-general shall concisely report the strength, efficiency, and armament of each organization and the shortage of public property, the date of last inspection, and all irregularities and defects, with such suggestions or recommendations as they may deem pertinent. They shall also report what remedies have been applied to cor-

rect irregularities reported at former inspections. The subjects usually covered by such reports shall be as follows:

a. The zeal and ability displayed by commanding officers; whether they possess the requisite professional knowledge for the proper exercise of their commands; whether they preserve harmony therein, and whether they observe the system of instruction and treatment of subordinates enjoined by the Regulations.

b. Whether officers are properly instructed and efficient, making a special report of any officer who has become unfit for actual service by infirmity or other cause. Special mention will also be made of any officer or soldier who has distinguished himself, or who has shown special efficiency in any department of duty.

c. Whether the number of men in ranks at inspection corresponds with returns, and how absentees are accounted for.

d. The discipline, military appearance, and behavior of troops; instruction, both theoretical and practical, of officers, non-commissioned officers and privates in all military exercises and duties; the nature and frequency of drills and recitations in the drill regulations of the several arms; whether the troops are practiced in marching with full kit; the state of their arms, equipments and accoutrements of all kinds; the sufficiency, uniformity and fit of clothing; and whether practiced in outpost duty, field service and camping. Inspectors-general will bear in mind that deserved commendation is a great incentive.

e. Police and sanitation of the post or armory; cleanliness and state of repair, condition of all public property, and whether used for private purposes; whether buildings and property are properly secured against fire, theft and damage.

f. Whether books and papers are properly kept; and the prescribed returns are properly prepared and promptly forwarded.

g. The name of any officer who is incapacitated for service mentally, morally or physically who is reported by post, regimental, battalion or company commanders or post surgeons, or who appears to the inspecting officer to be so incapacitated, with the result of his investigation.

653. An inspector-general shall at once report to the officer commanding the post or troops inspected all irregularities, violations of law, regulations or orders and any misapplication of funds or loss of or injury to property in his charge. He shall also make full reports to the commanding officer on whose staff he serves and also an immediate report of such matters as require prompt action to the commanding officer of the division.

654. On occasion of inspections an inspector-general shall give an opportunity to any soldier who makes a well grounded complaint to state it apart from his officers. He shall investigate the same and if well founded shall report the result of his investigation with a written statement of any person accused.

655. An inspector-general shall exercise care, by thorough personal examination, that he does no injustice to organizations or individuals.

When investigating accusations prejudicial to the character or efficiency of an officer, he shall make known to him their nature, and give him an opportunity to make his own statement, in writing, which shall be appended to the inspector-general's report. Copies or extracts from a report reflecting upon or commending the character or efficiency of an officer, shall be furnished him by the commander to whom the inspector-general submits it.

656. Inspectors-general shall make known their orders or instructions to commanding and other officers whose troops and affairs they are directed to inspect, and these officers shall see that every facility and assistance, including clerical aid, if requested, is afforded.

657. Officers not regularly commissioned as inspectors-general may be detailed to make inspections or investigations. The provisions of this article apply to officers so detailed and to acting inspectors-general.

ARTICLE XL.

JUDGE ADVOCATES.

660. A judge advocate conducts the prosecution of military offenses on behalf of the people of the state and is the legal adviser of the officer on whose staff he is serving and of the military courts and boards to which he may be detailed.

ARTICLE XLI.

QUARTERMASTERS.

665. Quartermasters are charged with the duty of providing means of transportation of every character which may be needed in the movement of troops and material of war, and with the preservation and issue of quartermasters' stores.

666. When troops are transported with field equipment by rail in a standard passenger coach there shall be allowed one seat for each man and when so transported without field equipment there shall be allowed three men to two seats. Pullman standard sleeper 14 or 16 sections; tourist sleeper 12, 14 or 16 sections. Freight car (box) length 34 or 36 feet, capacity 40,000 to 60,000 pounds. Flat car, length 34 to 36 feet, width 8 feet 6 inches. Coal car, length 34 to 36 feet, width 8 feet 5 inches. Palace stock car, length 36 to 40 feet, capacity 16 to 20 head. Improved stock car, length 36 feet, capacity 20 to 24 head. Ordinary stock car, length 30 to 34 feet, capacity 16 to 20 head.

667. All property to be transported by common carriers shall be shipped on bills of lading, except where it is authorized to be sent by express.

668. Bills of lading shall show the number, marks, contents and weight or measurement of each package or class of packages to be transported. Erasures, interlineations, or alterations in bills of lading, shall be explained thereon by the officer forwarding the property, over his signature.

669. The original bill of lading shall be given to the carrier at the time the shipment is made; and, upon the delivery of the property in

good order and condition will be receipted by the consignee and returned to the carrier, with such further indorsement as may be necessary to insure settlement for the service. The duplicate shall be promptly transmitted by the shipping officer to the officer to whom the stores are consigned; and upon delivery of the property shall be receipted by the latter in the same manner as the original, and forwarded to the quartermaster, to be used in settlement for the service.

670. Public property that has been in transit shall be carefully checked upon arrival at its destination by the receiving officer with the bill of lading or manifest in order to ascertain if the carrier has fully carried out all obligations imposed upon him. Should any discrepancy, loss, or damage be found, the receiving officer shall at once make application for a surveying officer by whom the facts shall be fully investigated (unless the carrier voluntarily assumes liability for the loss) and the money value of the damage or deficiency will be charged to the party responsible therefor, whether it be the invoicing officer or the carrier. Upon approval of the report of the surveying officer a copy thereof shall be sent to the receiving officer and to the carrier or other persons found responsible.

671. When public property is to be shipped by an officer to the state arsenal in New York City he shall communicate with the officer in charge thereof describing the property to be shipped and requesting shipping directions which shall be furnished.

672. In preparing property for shipment, the name of the invoicing officer, the date of the invoice, the number, gross weight and general contents of each box or package and the name or designation of the receiving officer shall be distinctly marked thereon prior to delivery for shipment.

673. The forage ration for a horse is 14 pounds of hay and 12 pounds of oats, corn or barley; for a mule 14 pounds of hay and 9 pounds of oats, corn or barley. To each animal 3 pounds of bran may be issued in lieu of that quantity of grain.

674. One hundred pounds of straw per month is allowed for bedding to each horse or mule in public service. At posts where straw is not furnished hay will be issued and used for bedding.

675. When bed sacks are used each enlisted man shall be allowed thirty pounds of straw per month for bedding and for sick men in hospitals such quantity of straw as the chief medical officer may certify to be necessary. In the field in cases not covered above such quantity of straw or hay for the bedding of troops is authorized as the commanding officer after advising with the chief medical officer of the command may deem necessary to preserve the health of troops.

676. When troops are on field duty and do their own cooking, the allowance of wood to be procured by the quartermaster for cooking, will be prescribed by the commanding officer who orders the troops on such field duty; such allowance from May 1 to August 31 is not to exceed one cord for the headquarters of a brigade or regiment, one-half cord for the headquarters of a battalion or squadron not part of a regiment, and one cord for each company, for each three days on duty.

677. The quartermaster shall provide supplies for interior and exterior illumination when not otherwise provided for by law. If oil is used the issue of oil, lamps, lanterns, wicks and chimneys therefor shall be made by the quartermaster in such quantities as the commanding officer may order and certify to be necessary.

678. The quartermaster shall have charge of veterinary instruments, books, medicines and supplies, and under the direction of the commanding officer shall issue and expend such medicines and supplies in such quantities as may be necessary.

679. The quartermaster shall provide the necessary transportation for the sick and wounded upon the requisition of the proper medical officer approved by the commanding officer.

680. An officer designated by order to arrange for transportation of troops, animals or public property, shall ascertain the number of officers, men and animals and the approximate weight of property for which transportation will be required, and shall submit the data to competing lines of transportation or carriers with a view to securing the best rates obtainable from starting point to destination. Should arrangements for round-trip transportation be necessary instructions with reference thereto shall be issued.

681. Transportation requests shall cover the approximate number of officers and men to be transported. Separate tickets should be obtained for all officers and enlisted men traveling before or after the main body of the organizations, and they must be provided for at the contract prices.

682. Separate transportation requests shall be issued for the necessary sleeping-car accommodations where a night journey is involved, and shall be drawn on the basis of one berth in standard sleeper for each officer, and for enlisted men tourist car accommodations on the basis of three men to each section. When the number of officers (less than ten) traveling with troops is not sufficient to justify the hire of a standard sleeping car they shall be provided with one berth each in a tourist car with the troops, a suitable portion of a tourist car being curtained off for their accommodation.

683. The following are entitled at public expense to a double berth in a sleeping car, to a seat in a parlor car or to stateroom accommodations on boats where extra charge is made for the same: When traveling under orders without troops officers and also invalid soldiers on the certificate of a medical officer showing the necessity therefor. The enlisted attendants accompanying invalid soldiers are entitled to accommodations equal to those herein allowed to invalid soldiers. All non-commissioned officers when traveling under orders without troops are entitled to the accommodations hereinbefore mentioned with the exception of a seat in a parlor car. Tourist sleeping cars provided for troops shall be on the basis of three men to a section when the journey involves spending the night on the train; when the number of men is less than three each man will be furnished with a berth.

684. Special sleeping or parlor cars shall not be chartered when the expense exceeds the cost of the berths or seats authorized to be furnished.

685. Bills of lading (original and memorandum) shall be issued to cover the transportation of the total authorized freight of commands, the entire weight of the freight being shown on the bill of lading, and notation made thereon as follows: "No deduction has been made for allowance due officers and men of 150 pounds baggage each transported free of charge."

686. The authorized private horses attached to an organization shall be shipped on bill of lading issued in the same manner as provided for in the transportation of freight.

687. The kind of baggage shall be described in detail in the bill of lading as tentage, mess chests, cooking utensils, and the weight shall be given, as the freight charges are different for various kinds of property.

688. The original and memorandum of the bill of lading should be received by the railroad agent when the freight is turned over to him, and both returned to the officer making the shipment. The original shall be mailed to the consignee, and the memorandum to the adjutant-general of the state.

689. Bills of lading (original and memorandum) and separate transportation requests (one number only) are required for each station where troops entrain. The receipt on a request for transportation shall show the actual number of officers and men transported, verified by count by the receipting officer.

690. Requests for sleeping car service, or parlor car seats for officers, when necessary and provided, shall be issued separately for the outward and return journey. The receipt shall show the actual number of officers receiving such accommodations.

691. An officer charged with the duty of entraining troops is authorized to hire such wagon transportation as may be absolutely necessary to move the authorized freight and baggage from armories to points of entraining. Such service should be engaged at the lowest obtainable rate for each 100 pounds, after inviting bids, in writing, for the actual quantity of freight and baggage hauled. All bids for such service shall be properly certified by this officer, and forwarded to the proper officer for settlement, accompanied by the accepted bid and copy of letter of acceptance.

692. All labor required in loading and unloading authorized freight and baggage pertaining to organizations shall be performed by enlisted men thereof.

693. Great care shall be taken not to destroy or lose any blank transportation requests as the officer to whom they are issued will be held to accountability for them. Blank requests should be kept under lock and key.

694. When troops are moved, suitable transportation shall be provided; proper orders and an exact return of the command shall be furnished to the quartermaster who is to provide the transportation.

695. The quartermaster who provides the transportation, or a duly authorized representative, shall be present at the embarkation of the troops, and shall see that the accommodations contracted for have been provided. A similar course shall be pursued, where practicable, at

places where changes of route or important connections are to be made. If delay is necessary in either case in order to complete the arrangements for transportation, the commanding officer of the troops shall be duly notified.

696. The officer or person in charge of the party to be transported, in filling the receipt, shall state the number of persons and pounds of extra baggage carried, and the class and description of transportation furnished. In no case shall a receipt be given for transportation of more persons or extra baggage than the request calls for.

697. The blank receipt at the bottom of the request shall be filled in in ink, and if the person receipting cannot write his name he shall make his mark, which shall be witnessed. Names and places shall be written in full. If the transportation is furnished by other than passenger train or in other than passenger cars, the fact shall be stated in the receipt.

698. No portion of a request above the signature of the issuing officer shall be changed in any particular. If explanations are required, they shall be made on the back of the request.

699. All unused tickets or parts of tickets procured on a transportation request shall be returned to the officer who issued the request, and shall be forwarded by him to the officer who pays the account for the service. The value of such ticket or parts of tickets shall be deducted from any money due or to become due the company for transportation over whose line they were obtained. On the collection of the value of such unused tickets they shall be returned to the company by which they were issued.

700. A person belonging to the military forces of this state in order to be allowed free passage for himself together with his conveyance and the military property of the state in his charge through all toll gates and over all toll bridges and ferries must be in uniform or if not in uniform shall present an order, for the duty requiring such passage.

701. Duly authorized civilian employees of any branch of the military service may be transported with the organization to which they are attached and shall be furnished the same accommodations as provided for privates.

702. Officers turning over property to a quartermaster for transportation shall plainly mark each package with the name and address of consignee, a list of its contents and its weight.

703. An officer who turns over property or supplies to another for transportation in the best condition in which it is possible to put them is relieved from any further responsibility therefor by the receipt of the officer to whom they are intrusted for transportation. Procedure in case of loss, damage or deficiency found on arrival at destination shall be as prescribed in sections 1019-1020.

704. Transportation by express, when in excess of cost by freight, shall be limited to emergencies, and vouchers in payment shall show the emergency as authority for such transportation.

705. A voucher for transportation, if of property, shall be accompanied by a bill of lading fully accomplished; if of troops by the

transportation request properly receipted, the certificate of the officer who arranged the transportation and the approval of the commanding officer who directed that the transportation be furnished.

706. If the transportation be of property, the place from which it was shipped, its destination, quantity, weight, freight in detail and total shall be set forth in the voucher; if the transportation be of troops, place from and to and number of men for which it was furnished, fare per man and total fare.

707. Only one copy of a bill of lading shall be issued for a single shipment. This bill, when receipted by the agent of the receiving carrier, shall be returned to the consignor and by him mailed to the consignee, who will, upon receipt of the shipment, accomplish and surrender the bill to the last carrier. This bill then becomes the evidence upon which settlement for the service will be made. Memorandum copies may be used at the discretion of administrative officers. Shipping orders shall be invariably furnished the initial carrier.

ARTICLE XLII.

COMMISSARIES.

715. A commissary officer, upon proper orders, furnishes subsistence supplies for enlisted men and others entitled thereto. He also supplies articles for authorized sale and issues.

ARTICLE XLIII.

ORDNANCE OFFICERS, STORES AND AMMUNITION.

720. Ordnance officers shall have charge of the issue and preservation of the ordnance stores belonging to the organization to which they are attached, and shall account therefor on the prescribed return to the adjutant-general of the state.

721. The ordnance officers on the staff of the commanding officer of the division shall have general supervision under his orders of the small arms practice of the national guard and of the gunnery practice of the field artillery thereof and shall supervise the annual competition for the state and figure of merit prizes.

722. An ordnance officer detailed to the staff of a brigade commander shall have general supervision under his orders of the small arms practice of the organizations of the brigade and shall supervise the annual competition for the brigade prize.

723. Ordnance officers of regiments and battalions shall have general supervision under the orders of the commanding officers thereof of the small arms practice of their organizations.

724. Magazines for the storage of ammunition should be dry and at an even temperature between 60° and 70° Fahrenheit.

725. A reserve supply of ammunition of twenty rounds guard cartridge per man shall constantly be kept in every armory occupied by troops armed with the rifle. A reserve supply of pistol ammunition, equal to twenty rounds for each officer and enlisted man armed with a pistol, shall be kept in every armory occupied by troops.

726. Every officer upon receiving ammunition shall immediately inspect it and satisfy himself that it is of good quality; and that it is suitable in every respect for the arms with which his command is supplied. When blank cartridges have been issued the officer responsible for them shall exercise the greatest care to keep them entirely separate from service and special ammunition.

727. When an original package containing blank cartridges is first opened a careful inspection shall be made, and should a ball cartridge be found the complete package shall be sent through military channels to the chief of ordnance, United States army, to enable the responsibility for the presence of a ball among blank cartridges to be located by means of the packer's initials stamped on the package. None of the marks on the package shall be defaced.

728. When ammunition is issued to troops it shall be inspected frequently to prevent waste or injury.

729. Such articles as loaded shells, fuzes, friction primers, fireworks and matches shall never be put in a magazine containing powder. Shells shall not be charged until there is occasion for firing them.

730. The instructions regarding the care and preservation of artillery material contained in the drill regulations for coast artillery and the care and preservation of ordnance property shall be observed by the commanding officers of all military posts at which such material is used or stored.

731. Officers who ship arms of any description are held responsible that they are so packed that, under ordinary handling, they cannot break loose from their fastenings in the boxes, and that no loaded arm is packed for transportation. When loaded arms, or arms insecurely packed, are received by an officer, he shall report the facts direct to the adjutant-general of the state.

732. After packing arms or ordnance stores for shipment, the covers and bottoms of the arm chests and packing boxes shall, if possible, be sealed with wax and stamped with an official mark by the officer responsible. The lid shall be secured by screws, at least two of which shall be sealed. Each board on top and bottom shall have at least one sealed screw. The screw heads shall be countersunk to a depth sufficient to protect the wax seal from injury.

ARTICLE XLIV.

MEDICAL OFFICERS.

740. Medical officers are charged with the duty of investigating the sanitary condition of the national guard and making recommendations in reference thereto, of advising with reference to the location of camps and the adoption of systems of water supply and purification, and the disposal of wastes, with the duty of caring for the sick and wounded, making physical examinations of officers, enlisted men and applicants for commissions or enlistment, the management and control of military hospitals, the recruitment, instruction and control of the hospital corps.

741. A medical officer required to be in attendance at small arms practice held on a field range shall provide an orderly pouch, an

emergency case and such additional medical stores as in his judgment will be required. When on duty at supplementary practice or matches, the orders should authorize him to be attended by an orderly.

742. The surgeon, under the direction of the commanding officer, shall supervise the hygiene of the post or command, and recommend such measures as he may deem necessary to prevent or diminish disease. He shall examine at least twice a year the sanitary condition of the post and report the result in writing, to the commanding officer of the post.

When on duty under M. L. 113, 115 or 116 he shall recommend such measures as he may deem necessary to prevent or diminish disease among the troops. He shall examine at least daily the sanitary condition of the camp and all buildings, the drainage and the amount and quality of the water supply, the clothing and habits of the men, the character and cooking of the rations, and shall immediately after such examination make report thereof, in writing, to the commanding officer with such recommendations as he deems proper. The commanding officer shall return the report with his views thereon, and if he deem the action recommended impracticable or undesirable, shall state fully his objections. A copy of the report and indorsement shall be forwarded by the medical officer, through the regular channels to the chief surgeon division for his information.

743. Men desiring to enlist or re-enlist shall be examined in accordance with the following instructions, and shall not be accepted unless they pass the medical examination except as provided in subdivision c, section 205.

744. In passing a recruit, the medical officer shall examine, weigh and measure him stripped; see that he has free use of his limbs; that his chest is ample; that his hearing, vision and speech conform to requirements; that he has no tumors or ulcerated or extensively cicatrized legs; no hernia or chronic cutaneous affection; that he has not received any contusion or wound of the head that may impair his faculties; that he is not a drunkard; is not subject to convulsions; and has no infectious or other disorder that may unfit him for military service. The recruit must be effective, able-bodied, sober and free from disease.

a. The room in which the examination is conducted should be well lighted and large enough for the men to exercise in walking, running and jumping, as every organ directly concerned in locomotion should be subjected to inspection. Only those persons who are absolutely required should be present at the examination.

b. The person of the recruit shall be clean.

745. No one shall interfere with medical officers in the examination, nor attempt in any way to influence their decisions.

If a company officer thinks a man has been improperly rejected he may write a letter to his commanding officer, requesting a re-examination of the man and stating his reasons therefor. This communication shall be referred to the medical officer who made the examination, who shall in writing inform the commanding officer of the cause of rejection. If the cause of rejection is any disqualification stated

under section 747 or section 748 the case shall not be re-examined, unless the cause is a removable one. In case of any difference of opinion as to the existence of the stated cause, all the papers in the case shall be forwarded to the commanding officer of the brigade or division who may cause the man to be re-examined by a medical officer attached to another command than the one referring the papers, or by the brigade or division surgeon.

746. The vision of each eye shall be tested separately at a distance of not less than twenty feet and recorded separately. The hearing of each ear shall be tested separately. Men who are apparently under the influence of any drug or alcohol or who have been drinking freely and men who are habitually dirty in person or clothing shall be rejected.

747. The following are the standard requirements:

a. The following table is given for convenience of reference:

Table of Physical Proportions for Height, Weight, and Chest Measurements.

Height. Inches.	Weight. Pounds.	Chest measurement.	
		At expiration. Inches.	Mobility Inches.
64	128	32	2
65	130	32	2
66	132	32½	2
67	134	33	2
68	141	33¼	2½
69	148	33½	2½
70	155	34	2½
71	162	34¼	2½
72	169	34¾	3
73	176	35¼	3

b. It is not necessary that the applicant should conform exactly to the figures indicated in the foregoing table. The following variations below the standard given in the table are permissible when the applicant for enlistment is *active, has firm muscles, and is evidently vigorous and healthy*:

Height. Inches.	Chest at expiration. Inches.	Weights Pounds.
64 and under 68	2	8
68 and under 69	2	12
69 and under 70	2	15
70 and upward	2	20

c. Minimum height, 5 feet 4 inches.

d. Minimum chest measurement at end of normal expiration, 32 inches.

e. Minimum mobility, 2 inches.

f. Minimum weight for all arms of the service, 125 pounds.

g. Maximum weight for cavalry and men who will be mounted, 165 pounds. For all other arms of the service, 190 pounds. A recruit of greater weight than 190 pounds may be in every way qualified for the service and whether he be or be not thus qualified will depend much more on his height, chest and abdominal circumference as compared with his weight than on the mere fact of weight alone.

h. Age in accordance with M. L. 95 and 96.

i. No organic disease of eye or lids. Normal vision in each eye or vision corrected by glasses to 20/20. In the signal corps freedom from color blindness.

j. Hearing normal in each ear. Freedom from organic disease of each ear.

k. Normal articulation. Freedom from organic disease or deformities of the organs of speech.

748. The following diseases, conditions and deformities shall cause rejection:

All forms of acute disease; contagious or communicable disease; every chronic organic disease, including rheumatism and gout, repeated attacks of acute articular and muscular rheumatism, or of sciatica; asthma, hay fever, chronic laryngitis, all forms of valvular heart disease, or of nephritis, high arterial tension, aneurism, hernia, epilepsy, mental aberration, depravity, cystitis, organic and chronic functional disease of the nervous system, marked knock-knee and bow-legs, syphilis, all forms of tuberculosis, chronic ulcers, deformities and results of previous injuries of such degree as to manifestly render the recruit unfit for military duty, hydrocele, fistula in ano, the loss of a great toe, a thumb, or of any two fingers of a hand, hallux valgus, over-lapping toes of marked degree, hammer-toe, severe corns or callosities, varicose veins, except that varicocele and hemorrhoids of very slight degree need not reject, prolapse of rectum, and any disfigurement or deformity constituting a well marked blemish of soldierly appearance, or local disease of deep or superficial character requiring constant attention to keep clean.

There are numerous conditions and diseases not mentioned in the foregoing, which should reject at once.

749. As disability occurring in the service is usually made the basis of a claim for pension, special care shall always be taken to state in the certificate the degree of disability, to describe particularly the disability, wound or disease, the extent to which it deprives the soldier of the use of any limb or faculty, or affects his health, strength, activity, constitution or capacity to labor. Special care shall be taken in the case of diseases or injuries liable to be feigned or purposely produced. The printed form shall be filled up in the handwriting of the medical officer. If such disability was incurred in the line of duty and the enlisted man declined treatment, that fact shall be stated for the information of the adjutant-general of the state.

750. In the examination of certificates of disability for discharge, it is enjoined upon all concerned, to observe that there is no conflict between the statements of company commanders, medical and other officers thereon, as to whether the disability was incurred in line of

duty or not in line of duty. If any discrepancy exists in this particular, every possible means shall be employed to harmonize the statements before forwarding the papers.

751. The purpose of sick call is to determine for the information of the commanding officer what men in the command are physically unable to perform their full duties. This purpose is defeated if the morning sick report is not sent to the adjutant in time to be the basis of the regimental morning report. The prescribing and giving of medicines, prolonged examinations, and other matters pertaining to the treatment of the sick should be postponed until sick call is completed and the sick report sent in. When there is much sickness all the medical officers on duty with a regiment or battalion should attend at sick call.

752. The non-commissioned officer in charge of the men shall present the company sick report previously signed by a commissioned officer of the company showing the names of the men who desire to be excused from duty.

The medical officer on duty with his assistants shall examine the men as rapidly as possible and enter the conclusions arrived at upon the company sick report which he then signs and returns to the non-commissioned officer who presented it.

753. The necessary entries in the hospital and prescription book shall be made before the company sick report is returned to the non-commissioned officer. As soon as sick call is completed the daily medical report shall be prepared, signed and sent to the adjutant.

754. Men who are declared by a medical officer to be "sick in hospital" may be sent immediately to the hospital. Men who are declared "sick in quarters" if their cases are not urgent, may be returned to their quarters and directed to report at a subsequent hour for treatment. Men who desire to be treated but who do not desire to be excused from duty, may, in the discretion of a medical officer, be so treated at a subsequent hour convenient to the command without having their names entered on the sick report book. The names of all men treated shall be entered in the hospital and prescription book, both those sick in hospital and in quarters, and those who are not "on sick report" but who apply for or receive medication or dressings. The sick "in hospital" and "in quarters" shall be entered on the left hand page and dispensary cases not officially declared sick on the right hand page of the hospital and prescription book.

The names of all men who become sick after "sick call" shall be entered on the sick report book as soon as possible on the page to be used for the next "sick call."

755. A medical officer shall not excuse men from duty for trivial causes or without due examination. He shall bear in mind that while he has the right to say who is or is not sick, his commanding officer is not compelled to abide by his opinion and the duty of the medical officer ends in this respect with his report on the case. If he desires he may protest against the action of his commanding officer.

756. A medical officer determines that a man is "sick in hospital" "sick in quarters" or "for duty" and a man excused from a portion

of his duty by the surgeon is "sick in quarters." He may consider that a man "sick in quarters" is capable of performing light duty, but a man excused from any duty by him is necessarily "sick."

757. Whenever a patient is transferred from the care of one medical officer to another, a complete medical report of the case shall accompany him.

758. All persons seriously ill or seriously injured while on duty away from their home station and whose cases cannot be adequately treated with the available military accommodations or who will probably require continuous treatment for more than two days may by order of the commanding officer of the post, camp or command be removed to a civilian hospital.

759. When on duty under M. L. 113, 115 or 116 any one carried on sick report for more than two days or who in the opinion of the medical officer in whose care he is will probably be unable to perform duty for three days or longer shall be recommended by him to the commanding officer for transfer to his home or a civilian hospital.

760. When troops are on duty away from their home station the senior medical officer shall immediately report to the commanding officer all persons sick with communicable disease within the camp or post with his recommendations as to the measures to be taken to prevent the further spread of the disease and the commanding officer may direct the removal of the sick to their homes or to a civilian hospital as the cases may require and he may take like action in cases of those exposed to the disease and whose removal is in like manner recommended.

761. The commanding officer shall make immediate report by telegraph direct to the adjutant-general of the state of all action taken by him under sections 758, 759 and 760, and where a removal to a civilian hospital is contemplated shall, if the necessities of the case admit, obtain authority therefor from the adjutant-general of the state in advance of such removal.

762. Expenses for hospital charges incurred under the preceding sections shall not exceed the customary charges in the locality and in no event more than \$10.50 a week for an enlisted man. Such expenses and such additional necessary expenses as are authorized by the commanding officer shall be paid on vouchers approved by the officer who incurred the same upon the audit of the adjutant-general of the state, unless specially authorized by the adjutant-general of the state.

763. The sick report book shall be used when on duty under M. L. 113, 115 or 116 and for sickness and injury incurred while performing any lawfully ordered duty as at parades, field small arms practice and in ceremonies. The book shall not be used for men who simply desire to be excused from armory drills because of alleged illness not originating in the performance of military duty.

764. When a command has been on duty under M. L. 113, 115 or 116 the senior medical officer on duty with each regiment, separate battalion or smaller command shall make a medical report of the tour of service (Form 69) within five days of the close of the duty, but when the period of service is long at least once a month. With this report

shall be forwarded the lists of sick and wounded and the sanitary reports.

765. A medical officer is responsible to his commanding officer that the allowance of medical property authorized for his command is always on hand and ready for immediate use or transportation.

766. The general and field supply tables published in the manual for the medical department, U. S. A., latest edition, shall be the supply tables for the kinds of medical supplies that may be issued.

The quantity of medical supplies authorized for issue shall be fixed by the governor on the recommendation of the commanding officer of the division and will be published in orders from time to time.

Under proper conditions medical supplies are expendable on certificate as follows:

All kinds of drugs, medicines, disinfectants, dressings, bandages and cotton and linen fabrics for the same; ligature and suture materials; pins, common and safety; needles, common, hypodermic, intestinal and surgeon's catheters, not metal; wire gauze, felt and plaster for splints; soap, sponges; all articles of soft and pliable rubber when deteriorated by age or service; and articles which are expendable according to the manual for the medical department, U. S. A., latest edition.

767. A requisition for other remedies than those named in the supply table will be honored when the necessity for their use is clearly apparent. A statement of the reasons why special remedies are required shall be forwarded by the medical officer with his requisition.

768. Medical officers shall restrict their needs in active service to the articles mentioned in the supply tables of the state and medical department, United States army, and personal property of medical officers shall not be used in the military service.

769. In all returns, estimates, requisitions, invoices and receipts, for medical supplies, the nomenclature, order of entry, and classification of the standard supply table, shall be followed.

770. The course of instruction of the hospital corps shall be prescribed in orders by the commanding officer of the division.

771. The detachment of the medical department serving with a regimental or smaller organization shall be under the immediate command of its senior medical officer.

772. At indoor ceremonies, street reviews and street parades, a detachment of hospital corps shall take position six paces to the left and in continuation of the line, or six paces to the rear of the column of the regiment, battalion or company to which it is attached or a detachment may be assigned to march in the rear of each battalion of a regiment. Its front shall not exceed twelve files, and should be shortened when necessary by forming in double rank or by division into platoons.

773. At other outdoor parades a detachment of hospital corps on duty with a battalion shall, when the battalion is in line, take position in rear of the center; a detachment of hospital corps attached to a regiment shall when the regiment is in line or line of masses, be divided into three or two platoons according to the size of the detachment and a platoon shall take position in rear of each battalion or of the

right and left battalions when there are but two platoons, the platoons being aligned upon each other. If the detachment is too small to be divided it shall take position in rear of the center battalion. When the regiment passes in review the leading platoon shall halt until it is joined in succession as each battalion passes by the platoons in rear and then in one body followed by the ambulance the detachment shall pass in review. Detachments and platoons shall take position at a distance from which any one in ranks who requires medical assistance can readily be seen, and any assistance required shall be given promptly at any part of the ceremony and as quietly as possible.

774. On all the foregoing occasions a detachment of hospital corps and when practicable a platoon shall be commanded by a medical officer, except when to assume such command the senior medical officer present attached to a regiment or battalion would be required to leave his proper position with the regimental or battalion staff, and except when the medical officers are engaged in the performance of other duties.

775. On practice and service marches positions shall be taken as prescribed in field service regulations.

776. When more than four medical officers are attached to a regiment, not more than four shall take position with the regimental staff, but the other medical officers shall take the positions with the hospital corps detachment prescribed in hospital corps drill regulations.

777. A medical officer attached to a company shall take position in dismounted formations when there is no detachment of hospital corps present three paces to the right of the front rank; at "open ranks" he shall step forward and place himself in line with the officers, but to the left of the commanding officer if the latter be in line with the other officers.

778. On all other occasions a medical officer and a detachment of hospital corps shall take position as directed by the commanding officer.

779. Medical officers shall be responsible to their commanding officers and senior officers of their department for the efficiency and discipline of the detachments under their command.

780. The commanding officer of a field hospital, an ambulance company and a detachment of the medical department, except of detachments serving with general officers, companies of signal corps, separate companies, troops and batteries shall administer his command in the same manner as a captain administers his company.

781. One or more of the privates of the hospital corps shall be designated by the medical officer commanding the detachment as ambulance driver. In addition to his other duties, he shall care for the ambulance, its equipment and harness, and see that they are always in readiness for immediate use. In the field he shall care for the animals.

782. On marches and in field service each medical officer required to be mounted shall be attended by a mounted private of the hospital corps and the necessary horses and horse equipments shall be provided by the state.

783. Ambulances may be used for the transportation of the sick and injured, the absolute necessary nurses or attendants on duty therewith, the instruction of the hospital corps, and, in urgent cases, for the

transportation of medical supplies, and all persons are prohibited from using them, or requiring or permitting them to be used, for any other purpose. It shall be the duty of the officers of the ambulance service to report to the commander of the troops any violation of the provisions of this section.

784. When members of the hospital corps are detailed for service or when left with the sick or wounded under circumstances which justify the expectation that their rights under the Geneva convention (F. S. R. 307), will not be recognized, commanding officers shall issue to members of the hospital corps pistols or other available firearms.

785. The surgeon of a post shall assign his assistants and the members of the hospital corps to duty.

786. Tents, clothing, hospital furniture, and other stores used in the treatment of contagious diseases may be disinfected or burned upon the recommendation and under the supervision of a medical officer.

787. Hospital property shall not be used for other than hospital purposes.

788. A civilian employee on duty with troops under M. L. 113, 115 or 116 is entitled to medical attendance and hospital service under the same circumstances as an enlisted man.

789. Medical officers shall furnish company commanders any information, except the diagnosis, which will assist them in determining whether or not the disability of a soldier who is or has been on sick report originated in the line of duty, entering this information in the company sick report book. When required they shall furnish the diagnosis to the commanding officer of the command to which they are attached.

ARTICLE XLV.

ENGINEERS.

795. The duties of engineers comprise reconnoitering and surveying for military purposes including the laying out of camps; the selection of sites and formation of plans and estimates for military defenses; the construction and repair of fortifications and their accessories of every description; the planning and superintending of defensive or offensive works of troops in the field; the examination of routes of communication for supplies and for military movements, and the construction of military roads and bridges.

ARTICLE XLVI.

SIGNAL OFFICERS.

800. The chief signal officer on the staff of the division is charged under the direction of his commanding officer with the supervision, instruction and efficiency of the signal corps.

801. When lines for communicating information are or are to be established by the signal corps the officers of such corps placed in charge of these lines shall be held responsible for their construction, maintenance and operation. Commanding officers and others shall see that the special duties of these officers are not interfered with, and shall, upon proper application, render such assistance as may be in their power.

802. The senior signal officer of troops in the field commands the signal parties serving therewith. Orders affecting them shall be transmitted through him. He shall be responsible that they are fully instructed, adequately supplied and that they properly perform their duties.

803. Communications transmitted by the signal corps are always confidential and shall not be revealed except to those officially entitled to receive them, or in case specially ordered by competent military authority.

ARTICLE XLVII.

CORRESPONDENCE.

810. Military correspondence shall be plain and concise; statements shall be made in such terms that they cannot be misinterpreted. Names, especially signatures, shall be written plainly. An official letter shall refer to one subject only. Telegrams shall be followed by official copies sent by first mail.

811. Letter paper shall be of uniform size, eight inches wide by ten and one-half inches long and of sufficient thickness that the writing shall not show through. Official communications shall be written only upon one side of the paper used. When more than one page is required additional sheets shall be used numbered consecutively. A margin of not less than one inch shall be left clear on the left of each page.

812. Commands shall be designated as follows:

1st Engineers, N. G., N. Y.

Co. A, 1st Engineers, N. G., N. Y.

1st Cavalry, N. G., N. Y.

Squadron A, Cavalry, N. G., N. Y.

Troop B, Cavalry, N. G., N. Y.

For a battalion not part of a regiment, 1st Battalion, Engineers, Field Artillery or Infantry, N. G., N. Y.

1st Battery, 1st Battalion, Field Artillery, N. G., N. Y.

6th Battery, Field Artillery, N. G., N. Y.

1st Artillery District, N. Y.

1st Company, C. A. C., N. G., N. Y.

1st Infantry, N. G., N. Y.

Co. A, 1st Infantry, N. G., N. Y.

Co. A, 1st Infantry, (1st Separate Co.), N. G., N. Y.

1st Field Hospital, N. G., N. Y.

1st Ambulance Co., N. G., N. Y.

Medical Department, 1st Infantry, N. G., N. Y.

813. The following abbreviations shall be used: The Military Law, M. L.; The Regulations, R.; Uniform Regulations, U. R.; Regulations for Small Arms Firing, R. S. A. F.; Field Service Regulations, F. S. R.; Regulations for the Organized Militia, O. M. R.; U. S. Army Regulations, A. R.; Manual of Guard Duty, M. G. D. The number of the paragraph or section referred to shall follow immediately the abbreviation. Similar abbreviations may be used for the titles of other regulations, manuals and books.

Abbreviations shall be used for orders as follows: General Headquarters, G. O. 1, A. G. O. 1910; S. O. 1, A. G. O. 1910; Division Head-

quarters, G. O. or S. O. 1, D. 1910; Brigade Headquarters, G. O. or S. O. 1, 1 B. 1910; Regiment, Separate Battalion or Squadron Headquarters, G. O. or S. O. 1, 1 Inf. 1910; or Sq. A. 1910 or 1 Bn. F. A. 1910; Company Orders, O. 1 Co. A, 1 Inf. 1910; O. 1, 1 By. 1910; O. 1, Tr. B. 1910; G. O. 1, 1 A. D. 1910; O. 1, 1 Co. C. A. C. 1910.

N. G., N. Y. shall be used for national guard, New York.

C. O. shall be used for commanding officer, N. C. S. for non-commissioned staff officers, and N. C. O. for non-commissioned officers.

814. The heading of a communication shall show whence it emanates. A communication from the commanding officer of a company or officer of and with such command shall begin with the designation of the company as given in section 812 (1). A communication from the commanding officer or a field or staff officer of a separate or detached battalion, a regiment, a brigade or the division shall begin with the appropriate designation of the command given in section 812 preceded by the word "Headquarters" (2). The second line of the heading shall contain the street number and the name or number of the street where the command is located (3). The third line shall contain the name of the city, town or village where the command is located and the date when the communication is written (4). The second and third lines may be combined in one.—The name of the state shall be used only when the writer is not in the state of New York.

- (1) Company A, 4th Infantry, N. G., N. Y.
Company A, 1st Infantry, (1st Separate Company), N. G., N. Y.
- (2) Headquarters, 1st Infantry, N. G., N. Y.
Headquarters, 1st Brigade, N. G., N. Y.
- (3) 1 West First street, or
First street and First avenue.
- (4) New York City, January 1, 1910.

815. The name of the person to whom the communication is sent with his proper official designation and post office address shall be written below the heading beginning at the left hand margin. Titles shall be written out in full. The post office address may be omitted when so well known as to be superfluous.

816. If a communication relates to an officer personally the first line of the address shall contain his grade and name (1). The second line shall contain the organization with which he is serving (2) or his office and organization (3). The third and fourth lines shall contain his post office address (4).

- (1) Captain John A. Doe,
- (2) 1st Infantry, N. G., N. Y.
- (1) Major Richard A. Roe.
- (3) Quartermaster, 1st Infantry, N. G., N. Y.
- (4) 1 West First street,
New York City, N. Y.

If the communication relates to an officer's command or office, the first line shall contain his title of office (5) which for the medical

officer of a brigade staff and the senior medical officer of a regiment shall be "Surgeon," and for the senior medical officer of a post "The Post Surgeon;" the second line shall contain his organization (6) and the third and fourth lines shall contain his post office address (7).

(5) Commanding Officer.
Surgeon.

(6) 1st Infantry, N. G., N. Y.

(7) 1 West First street,
New York City, N. Y.

If a communication relate to an officer's command or office and emanate from a superior it shall be addressed to the inferior by his title of office as above provided (5, 6, 7). If it emanate from a subordinate it shall be addressed to the adjutant or adjutant-general of the superior if he have one (8, 9), otherwise to the superior by his title of office as above provided.

(8) The Adjutant-General of the State.

(9) Capitol Post Office, Albany, N. Y.

(8) Adjutant-General, Division N. G., N. Y.

(9) Capitol Post Office, Albany, N. Y.

(8) Adjutant, 1st Infantry, N. G., N. Y.

(9) 1 West First street,
New York City, N. Y.

817. The word "Sir" shall precede the communication, which is usually commenced with the words "I have the honor."

When an officer is mentioned by name for the first time in the body of a communication his grade shall precede and his organization or office and organization shall follow his name. If mentioned thereafter in the same communication only his grade and surname shall appear.

818. A communication shall conclude with the words "Very respectfully" followed by the signature which shall be legibly written.

On a line below the signature there shall be placed a proper official designation of the officer as follows:

If the heading of a communication shows the command from which it emanates there shall be placed on a line below the signature the grade of the writer (1) except (a) an officer of an organization who is not its permanent commander but is temporarily in command shall add his grade and the word "Commanding" (2); (b) an officer of another organization temporarily in command shall add his grade and organization or grade, office and organization and the word "Commanding" (3); (c) line officers of a command permanently assigned to staff duty in it shall add their grade and office (4), and (d) departmental officers shall add their grade and office (5) except that the ranking medical officer of the command shall add only the word "Surgeon" (6) and other medical officers shall add their grade and the words "Medical Corps" (7) and further except the ranking officers of the quartermaster's department, subsistence department, medical corps, corps of engineers, ordnance department and signal corps on the staff of the division, who shall add respectively the words "Chief Quartermaster," "Chief Commissary," "Chief Surgeon," "Chief Engineer," "Chief Ordnance Officer" and "Chief Signal Officer" (9).

If the heading of a communication does not show the command from which it emanates there shall be placed on a line below the signature the grade and organization or grade, office and organization of the writer (8).

- (1) Major-General.
Colonel.
Captain.
- (2) Brigadier-General, Commanding.
Lieutenant-Colonel, Commanding.
Lieutenant, Commanding.
- (3) Lieutenant-Colonel, 2d Infantry, Commanding.
- (4) Captain, Adjutant.
- (5) Lieutenant-Colonel, Adjutant-General.
Major, Quartermaster.
- (6) Surgeon.
- (7) Lieutenant, Medical Corps.
- (8) Colonel, 1st Infantry, N. G., N. Y.
Captain, Quartermaster, 1st Infantry, N. G., N. Y.
- (9) Chief Surgeon.
Chief Ordnance Officer.

819. An officer detailed shall add to his signature his grade and organization or his grade, office and organization as in this article provided and this shall be followed by the word "Acting" with the name of the office to which he is detailed (1) except an aid acting as adjutant-general who uses only his grade and official title (2).

- (1) Major, Inspector-General, Acting Adjutant-General.
1st Lieutenant, 1st Infantry, Acting Adjutant.
- (2) Captain, Aid.

820. An officer shall not use a brevet grade in signing officially unless he has been placed on duty by the governor under his brevet commission.

821. An officer shall not be designated in orders nor addressed in official communications by any other title than that of his actual grade.

822. Communications shall be signed as follows:

- a. Between officers exercising correlative commands and to officers not under their respective commands by the officers themselves.
- b. From an inferior to a superior by the inferior.
- c. From a superior to an inferior in the same command by the adjutant-general, adjutant or other staff officer of the writer.

823. When a staff officer signs a communication under section 821 the body thereof shall show that he does so by order of his commanding officer, as "I am directed by," "By direction of" or "By order of" the commanding officer.

824. Official communications shall be signed or authenticated by the pen and not by facsimiles.

825. When a copy of or an extract from an official paper is furnished a note should be made on the records showing when and to whom the same was furnished.

826. All official communications whether from a subordinate to a superior or vice versa shall pass through the intermediate commanding officers (through the channel), except where specially provided otherwise. In cases of pressing necessity, in which there is not sufficient time for regular communications, the necessity shall be stated and copies forwarded through the channel.

827. All official communications relative to the military service of this state intended for either the military, judicial or executive officers of the United States, or other states, or of foreign governments, must be addressed to the adjutant-general of this state and not through him to any other person or officer and shall be forwarded to him through the proper channel. Communications which are not of sufficient importance to occupy the time and attention of the adjutant-general of the state should not be forwarded by intermediate commanding officers but should be returned by them to the writers of the communications.

828. All communications on official matters intended for the secretary of war, the secretary of the navy or the chief of staff of the army, shall be addressed to the adjutant-general of the state, and shall as a rule pass through intermediate commanders.

829. Orders and circulars shall be addressed at the bottom on the left hand side (1, 2, 3).

- (1) Captain Richard A. Roe,
1st Infantry, N. G., N. Y.
- (2) C. O. Co. "A," 1st Infantry, N. G., N. Y.
- (3) Captain John A. Doe,
Aid.

830. Envelopes containing official communications shall be marked on the upper left hand corner "Official Business." They are addressed as prescribed for the address of a letter, giving, however, in every case, the post-office, letter-box, or number and street, and the city, town or village and state.

831. Quartermasters, commissaries, ordnance officers and medical officers, may communicate direct with superior or subordinate quartermasters, commissaries, ordnance officers and medical officers, or with officers acting as such, in matters pertaining to their duties, such correspondence shall, however, not embody orders to be executed by them which have not been previously promulgated.

832. Commanding officers shall promptly forward communications if addressed to a superior headquarters with their approval or disapproval with remarks unless they possess the authority to decide the matters to which the communications refer; but communications relating to unimportant and trivial matters or to subjects which commanding officers can readily decide shall not be forwarded. Commanding officers shall decide whether the subject-matter of a communication is of sufficient importance to forward.

833. Papers which admit of or require indorsements and all returns prescribed, shall be forwarded without letters of transmittal.

834. When, after a reasonable lapse of time, no answer has been received to a complaint or other communication which has been forwarded, a copy of the communication may be forwarded direct,

accompanied by a letter of transmittal, stating the action thus taken, and the reason therefor.

835. In official correspondence between officers or between officers and officials of other branches of the public service, and especially in matters involving questions of jurisdiction, conflict of authority, or dispute, officers are reminded that their correspondence should be courteous in tone and free from any expression partaking of a personal nature or calculated to give offense. Whenever questions of such character shall arise between officers and officials of other branches of the public service and it is found that they cannot be reconciled by an interchange of courteous correspondence, the officer, as the representative of the interests of the national guard in the matter involved, will make a full presentation of the case to the adjutant-general of the state through the proper military channels, in order that the same may be properly considered.

Folding.

836. A communication shall be folded in three equal folds parallel to the writing and with the writing inside. The bottom of the communication is folded up so as to cover two-thirds of the sheet and the top is then folded down and outside of the part already folded. The folds corresponding to the top, middle part and bottom of the sheet are known respectively as the first, second and third folds.

Briefing.

837. All official communications (except orders and circulars and such communications to higher or subordinate headquarters or officers as pass through the channel and require no action on the part of intermediate commanding officers) shall be briefed in the first office of receipt before entry in the correspondence book.

838. The brief shall be placed on the first fold and shall consist of three parts, which shall be divided from each other by lines. The first part shall show the place where, and the date when, the communication was written. The second part shall show the name and official designation of the writer, or the title of the office, organization, court, or source from which the communication emanates. Letters from officers relating to the business of their commands or offices, are not briefed in their individual names, but by their official titles, or the commands or office of which they are in charge, or in which they are serving. Letters or communications signed by more than one person, are briefed in the names of a few of the most prominent signers, or, if military men, in the name of the senior in rank, and the words "and others" are added. The third part shall be a synopsis of the contents or subject of the communication, and shall be placed near the center of the briefing fold, and in this part everything of importance, and everything necessary to show the contents or subject, should be stated, and in the fewest possible words.

839. Indorsements, reports or letters attached from time to time do not necessitate additions to the original briefing, which shall not be changed except to correct errors, supply omissions, or to note inclosures.

840. Inclosures contained in communications shall not be briefed, but

shall be numbered, in the order of their dates, or in the order in which they should be read; if few in number, and not bulky, they may be kept inside the communication, otherwise they shall be folded in a wrapper, marked "inclosures," as an accompanying package, and all officers through whose hands communications pass, shall make the inclosures and slips secure, if necessary. When the communication has been briefed and the inclosures counted their number shall be noted below the third part of the brief. Duplicate inclosures shall count as one.

841. At the office of first receipt there shall be placed at the bottom of the briefing fold the office mark, i. e., the word "Rec'd" followed by the headquarters or office and the date. Similar office marks shall be placed above the first at every office or headquarters through which the communication passes in going or returning.

Indorsements and inclosures.

842. All communications which require action on the part of the intermediate and final authorities shall be forwarded or transmitted, and those which it is not absolutely necessary to retain shall be returned, transmitted or forwarded, with an indorsement on the same; but orders, letters or other communications, which pass through an office simply as the proper channel, and bear no indorsement from superior headquarters, or on which no action is required by, or can be expected of, intermediate commanders, whether going forward or being returned, shall be transmitted without indorsement; the office mark placed on the briefing fold being sufficient to show that they have passed through the channel.

843. Indorsements shall be begun at the top of the second fold, and shall be numbered serially in order of dates on the successive folds. Indorsements shall not be superimposed, but shall follow each other, additional space being provided by pasting slips of paper on the under side of the last fold, each slip, when attached, to have the same length and width as the original fold, and to turn back upon the last fold like the leaf of a book. The first fold, on which the brief is made, shall always be outside. In no case shall a loose wrapper be placed around an official paper, except as a mere covering.

844. An indorsement shall begin with its number (first indorsement) and shall be followed by the designation of the command or office, the postoffice address of the writer and the date. The subject-matter shall be preceded by the words "Respectfully forwarded to," "Respectfully referred to," "Respectfully transmitted to" or "Respectfully returned to" followed by the official title of the officer to whom it is sent. Commanding officers shall approve or disapprove communications forwarded to higher authority except as provided in sections 837 and 842 and add their remarks. Then shall follow the signature as explained under the title "Correspondence." In the absence of a commanding general his adjutant-general may forward communications to superior authority, adding after his office the words "In the absence of the Commander."

845. To reduce labor long indorsements may be transmitted in the form of a letter as an inclosure to which the indorsement shall refer. The entry in the correspondence book shall refer to the letter book or file.

846. All inclosures shall be numbered and shall be given the proper office marks. Inclosures to the original communication shall be noted on its face to the left of the signature. If others are added when an indorsement is made, their number shall be noted at the foot of the indorsement to which they pertain and also on the briefing fold of the original communication. To the latter notation shall be added the number of the indorsement to which they belong, thus: "One inclosure — fifth indorsement." Inclosures to indorsements shall be numbered in the same series as those to the original paper, and the number of the indorsement to which they belong shall be added below. If few in number and not bulky, inclosures may be kept inside the original paper; otherwise they shall be folded together in a wrapper marked "Inclosures."

Correspondence Book.

847. This book shall show the sending, the receipt and disposal of every official paper except orders, circulars, stated reports and returns and letters of transmittal.

848. On the sending or receipt of an official paper it is entered on the left side of the book and the action taken or the disposition made of it on the right side of the book.

849. Communications signed by more than one person, shall be entered in the name of the most prominent, or in the name of the senior, should they be officers.

850. All entries shall be numbered consecutively beginning on the first day of January in each year with the number one. The number of this entry shall be placed on the first fold of a communication, at the right of the office mark when the communication is forwarded but at the top of the fold by the deciding office. Inclosures shall bear the number of the communication with which they are sent.

851. If a communication be received again at an office or headquarters the new date of its receipt shall be placed upon it but it shall not receive a new number or new entry. Under its number note shall be made of its receipt on the right side of the book. Communications referring to the same subject shall ordinarily be entered under the same number but may be entered separately if necessary, in which case reference shall be made in the new and the other entries to the numbers of all communications received relating to the same subject.

852. When inclosures form part of the communication the fact shall be stated as part of the entry.

853. The action taken on communications received and entered shall be indicated on the right page of the book; if acted upon by indorsement the substance of the latter, and by whom signed, if not by the officer who should ordinarily do so, or, if it be of sufficient importance, or advisable, a verbatim copy of the same should be entered; if acted upon by letter and a copy retained, the entry shall

refer to the number of the file where the same may be found; if acted upon and retained, i. e., filed, the facts shall be set forth, and the word "filed" written in the last column.

854. Before entering another number a line is drawn under the entries relating to the previous number, space being left for future additions when such may be expected.

Files.

855. Communications entered in the correspondence book remaining in the office are filed in the order of their numbers; if withdrawn temporarily a slip shall be left in the place of the communication so withdrawn, indicating when and by whom; in addition if withdrawn permanently this fact and the explanation thereof shall be noted in the correspondence book under the proper number. For purposes of filing without folding, which is permissible, the correspondence book number may be placed on the communication near the upper right hand corner. Semi-official communications not entered in the correspondence book may be filed alphabetically. On January first of each year new files and new series of numbers shall be commenced.

856. Complete files of general orders and circulars of each headquarters and such special orders as may apply to the command or office, shall be kept separately. Where missing orders or circulars are needed to complete the files request shall be made for them to the proper headquarters.

857. Letter press copies of papers need not be made. If the paper sent is of sufficient importance a copy shall be retained and such copy shall be filed under the number of its original entry in the correspondence book.

Indexing.

858. The index supplied with any book required to be kept shall be fully written up as the entries are made to which such index refers.

859. In keeping an index the following general rule shall be observed: Index everything which may assist in finding the entry when it is wanted; names of places, localities, subjects and organizations mentioned.

ARTICLE XLVIII.

ORDERS.

864. A military order is the expression of the will of a chief conveyed to subordinates. Orders are classified as routine orders and field orders. Routine orders are those used in the ordinary administration of military affairs and are called general orders, special orders, circulars and orders according to circumstances. Field orders are those dealing with tactical and strategical operations incident to a state of war.

865. The orders of the commander of a division, brigade, regiment, battalion not part of a regiment, or post, are denominated "general (or special) orders" of such organizations according to their char-

acter and are numbered consecutively in a separate series beginning with the calendar year. Orders issued by commanders of battalions forming parts of regiments, companies, or small detachments are simply denominated "orders," and are numbered in a single series, beginning with the year. Circulars issued from any headquarters are numbered in a separate series.

866. General orders publish to the whole command matters of importance which are of permanent interest or are to be constantly observed, such as hours for roll calls and duties, police regulations and prohibitions, laws and regulations, and the results of trials by general courts-martial.

867. Special orders are such as concern individuals, or particular organizations, or relate to matters that need not be made known to the whole command.

868. General orders and all important special orders shall be read and approved, before issue, by the officer whose orders they are.

869. An order shall state the source from which it emanates, its number, date, place of issue, and the authority under which issued. It may be put in the form of a letter addressed to the individual concerned through the proper channel.

870. Orders for a body of troops shall ordinarily be addressed to its commanding officer, the address naming the office and not the individual. The commanding officer shall publish them and distribute copies when necessary.

871. Orders eulogizing the conduct of living officers shall not be issued except in cases of gallantry in action or performance of especially hazardous service.

872. In the field, oral and important written orders are carried by officers.

873. Mounted enlisted men shall be employed to carry important dispatches only in special and urgent cases. The precise hours of departure and the rates at which they are to be conveyed shall be written clearly on the covers of all dispatches transmitted by mounted orderlies.

874. Orders and instructions shall be transmitted through intermediate commanders, in order of rank, except when they are of such character that the commanders have no power to modify or suspend them. In such cases the orders or instructions may be sent direct to the officer by whom they are to be executed, copies being furnished to the intermediate commanders.

875. Printed orders are generally distributed direct by the headquarters from which issued, in a quantity at least sufficient to supply each commissioned officer serving with the organization with one copy and one copy for each official file required to be kept and such additional copies as may be deemed necessary by the officer issuing the order.

876. Such number of full copies or extracts of special orders is furnished to enable each person or organization affected thereby to receive a copy thereof.

877. All printed general orders shall be printed in type known as eight point modern, on paper seven and three-quarters inches long by five inches wide, the lines not to exceed three and three-eighths inches, with an equal margin on each side. No cuts, designs or devices shall be printed on or in orders except when required as part of the text thereof.

878. General orders shall be placed in regular order in a file to which they shall be fastened. To this shall be added an index and this file shall be known as the order book. General orders may be permanently retained in this file or may be bound either annually or whenever there is a sufficient number to make a book of convenient size.

879. Special orders when printed, written or typewritten shall be issued on paper 8 x 10½ inches. They shall be filed and bound as provided for general orders in section 878.

880. In the case of general orders a note shall be made at the top of the first number of a new series stating the last number of the preceding series.

881. In the margin or at the foot of a special order in the order book, there shall be noted in ink, to whom copies have been furnished and when, if at another date than that of the issue.

882. Example of beginning and ending of an order.

HEADQUARTERS, 1ST INFANTRY, N. G., N. Y.

1 FIRST AVENUE, ALBANY, Jan. 1, 1911.

GENERAL ORDERS, }
No. 1. }

BY ORDER OF COLONEL DOE:

Richard A. Roe,

Captain, Adjutant.

OFFICIAL:

.....
Captain, Adjutant.

COMPANY A, 1ST INFANTRY, N. G., N. Y.

1 FIRST AVENUE, ALBANY, Jan. 1, 1911.

ORDERS }
No. 1. }

JOHN A. DOE,
Captain.

883. If the signature of an order be not the actual handwriting of the officer signing it in the order-book, the official nature of the order may be indicated by the word "Official" followed by the signature of a staff officer, all placed after the close of the order just to the right of the margin; when the order is to be forwarded to higher headquarters, it shall, however, be made official by the commanding officer himself; an enlisted man cannot official an order; if more than one copy of a printed order or circular be sent to a company or other organization, through the channel, but one copy need be made official, to do which a facsimile may be used, for the use of which the officer whose signature is thereby represented, shall, however, be responsible.

884. When practicable true copies of papers shall be made by another officer than the one interested. A "true" copy may be made by any officer, but an "Official" copy can be made only by the officer having authority to issue the order; or by an officer through whom the issuing authority may issue orders, viz.: adjutants-general, aids, and adjutants.

885. The address of the office or officer whom it is to reach, shall be placed in ink, below the order, in the lower left corner of the page; this is also governed by the rules prescribed in the article on correspondence.

886. In cases of emergency, orders may be transmitted by telegraph; when thus sent a copy shall immediately be furnished by mail. Officers receiving orders by telegraph shall at once acknowledge by the same means their receipt, to the officer issuing them.

887. The provisions herein prescribed for orders also apply to circulars.

888. The parole, countersign and watchwords are issued from the headquarters of the highest in command; they are of the nature of orders, but are neither general nor special, nor are they numbered or entered in the order-book.

889. Example of countersign.

HEADQUARTERS 1ST INFANTRY, N. G., N. Y.

Camp Josiah Porter,
Albany, N. Y., July 1, 1910.

Countersign.

Fort Orange.

By order of Colonel Doe.

Richard A. Roe,
Capt., 1st Infantry Adjutant.

(Four by five and a quarter inches
and folded on dotted lines.)

890. Details of officers and enlisted men for guard, fatigue and outpost duties are orders, but are neither general nor special, and are entered in the respective rosters, and not in the order-books.

ARTICLE XLIX.

BOOKS, RECORDS AND RETURNS.

General.

895. The records of military organizations are the property of the state; they shall be carefully preserved, and on the discontinuance of the organization turned in to the adjutant-general of the state.

896. Commanding officers and inspectors are required to examine closely all military records; to see that errors are promptly corrected; that books and records are kept neatly, and that returns and reports are rendered promptly and in the manner prescribed.

897. All officers shall acquire the knowledge of making correct reports and returns, and of keeping military books and papers properly; it is the duty of commanding officers to impart the necessary instruction, and require their subordinates to become competent in this line of duty.

898. The use of colored inks, in records and correspondence, except as carmine or red ink is used in annotation, ruling or compliance with specific instructions issued on blank forms or otherwise, is prohibited.

Books to be Kept.

899. At the headquarters of the division there shall be kept one general order book, one special order book, one correspondence book and a record of small arms practice.

900. At the headquarters of a brigade there shall be kept one general order book, one special order book, one correspondence book, one register of officers and one book of reports of attendance.

901. At the headquarters of a regiment, a battalion not part of a regiment and a battalion on duty detached from its regimental headquarters, there shall be kept one general order book, one special order book, one correspondence book, one register of officers and non-commissioned staff officers, one report book, one attendance book, one roster, one guard report book, one hospital and prescription book, one record book of field small arms practice and one record book of armory small arms practice, and property account books, each officer accountable for property shall keep a separate account book for each class of property.

902. In each company there shall be kept one order book, one correspondence book, one descriptive book, one morning report book, one attendance book, one roster, one sick report book, one record book of field small arms practice, one record book of armory small arms practice; property account book or books, separate accounts to be kept for each class of property received and separate accounts with each enlisted man to whom property is issued.

Stated Reports and Returns.

903. A copy of all reports and returns shall be retained, either in the report book, or on the prescribed form. Stated reports and returns shall be forwarded through the channel unless it is expressly stated otherwise, and they are forwarded without a letter of transmittal, the fact and date of doing so being noted on the retained copy.

904. A semi-annual return of strength shall show the aggregate strength, on the 31st day of March and the 30th day of September in each year, of the command for which it is made, and all gains and losses that have occurred during the preceding six months.

Commanding Officer of the Division.

905. Annual report on the fifteenth of December each year to the governor.

906. Semi-annual returns of the strength of the national guard, on or before the twentieth days of April and October, to the adjutant-general of the state.

907. Abstracts of accounts of expenses at headquarters monthly.

908. Semi-annual return of delinquent officers, before the fifteenth days of May and November, and oftener if deemed necessary, to the adjutant-general of the state.

909. Copies of all orders issued, on the day of issue to the adjutant-general of the state.

Commanding Officer of a Brigade.

910. Copies of all general orders to the adjutant-general of the state, and copies of all general orders and of special orders in which drills, parades, details or movements of troops are ordered to the commanding officer of the division on the day of issue.

911. Reports of attendance at brigade drills or parades within ten days after such drills or parades to the commanding officer of the division.

912. Reports of attendance received from organizations of the brigade, to the commanding officer of the division as soon as entered in the book of reports of attendance.

913. Semi-annual return of strength in duplicate, with sub-returns, on or before the fifteenth days of April and October, to the commanding officer of the division.

914. Semi-annual return of delinquent officers, on or before the fifteenth days of May and November, and oftener if deemed necessary, to the commanding officer of the division.

915. Voucher for expenses at headquarters on the last days of December, March, June and September of each year direct to the adjutant-general of the state on Form 36, and on November 15th an annual account thereof.

916. Annual report on the condition of the brigade, on or before the last day of November to the commanding officer of the division.

917. Roster required by regulations for small arms firing, annually

on or before April 5th direct to the chief ordnance officer of the division.

A Commanding Officer of a Regiment and of a Battalion not Part of a Regiment or on Duty Detached from its Regimental Headquarters.

918. Copies of all general orders to the adjutant-general of the state and copies of all general orders and of special orders in which drills, parades, details, or movements of troops are ordered to next superior headquarters on the date of issue.

919. Report of attendance daily in morning report book when on duty under M. L. 113, 115 or 116 to next superior headquarters; if not practicable to use the report book then on Form 44.

920. Report of attendance when not on duty under M. L. 113, 115 or 116, within seven days after each drill and parade to next superior headquarters on Form 44.

921. Report of attendance when on duty under M. L. 113 showing the daily and average total attendance within ten days after the termination of such duty on Form 89, one copy to next superior headquarters, and one copy direct to the adjutant-general of the state.

922. Semi-annual return of delinquent officers on or before the 15th days of May and November, and oftener if deemed necessary, to the commanding officer of the division.

923. Semi-annual return of strength in duplicate, one copy to be accompanied by the sub-returns, on or before the 10th days of April and October to next superior headquarters on Form 72.

924. Annual consolidated return of attendance for the state allowance on or before the last day of December to the adjutant-general of the state on Form 38.

925. Voucher for expenses at headquarters on the last days of December, March, June and September, of each year direct to the adjutant-general of the state on Form 36, and on November 15th an annual account thereof.

926. On or before April 5th, roster or field book direct to the chief ordnance officer of the division as required by regulations for small arms firing.

927. Within ten days after the termination of duty under M. L. 113, 115 or 116 a report of the same shall be made to next superior headquarters.

928. When on duty under M. L. 113, 115 or 116 immediate report shall be made by telegraph direct to the adjutant-general of the state of all officers or men killed or who left or were removed from the post or station by reason of injury or illness.

929. Upon the termination of duty under M. L. 113, 115 or 116 and field small arms practice, immediate report shall be made direct to the adjutant-general of the state of all officers and men who are then on sick report.

A Commanding Officer of a Company.

930. Copies of orders for movements of organizations and drills and parades, on the day of issue to next superior headquarters.

931. Report of attendance daily in morning report book when on duty under M. L. 113, 115 or 116 to next superior headquarters; on Form 43; if not practicable to use the report book.

932. Report of attendance when not on duty under M. L. 113, 115 or 116, to next superior headquarters, on Form 43 at such times as the commanding officer to whom the report is to be made may prescribe, but in any event within five days after each drill and parade.

933. Report of attendance when on duty under M. L. 113 when on detached service showing the daily and average total attendance within five days after the termination of such duty to next superior headquarters on Form 43.

934. Delinquency returns to next superior headquarters within five days after each ordered duty or in the discretion of the officer authorized to appoint the court on the last day of each month.

935. Semi-annual return, accompanied by the enlistment papers which have not been previously forwarded, on or before the 1st days of April and October, to next superior headquarters on Form 71.

936. If accountable for property an annual return of same to the adjutant-general of the state with vouchers and inventory on the date of the annual inspection.

937. By the commanding officer of a company of signal corps, field hospital, ambulance company, separate troop, battery and separate company, an annual consolidated return of attendance for the state allowance to the adjutant-general of the state on the 31st day of December on Form 38.

938. On or before April 5th annually by the commanding officer of a battery, company of signal corps, separate troop and separate company field hospital and ambulance company, roster or field book direct to the chief ordnance officer of the division as required by regulations for small arms firing.

939. On or before the 1st day of November, December, January, February, March, April and May by commanding officer of a battery, company of signal corps, separate troop, field hospital and ambulance company, report of armory small arms practice as required by regulations for small arms firing.

Ordnance Officers, Quartermasters, Commissaries and Medical Officers.

940. Return of purchases and issues at the termination of any ordered duty, or sooner if directed, to his commanding officer if the expense is to be paid by a county; otherwise to the adjutant-general of the state.

941. Annual return of public property with vouchers and inventory through their respective commanding officer to the adjutant-general of the state on the date of annual inspection.

Medical officers (in Addition).

942. Medical report when on duty under M. L. 113, 115 or 116 daily by the senior medical officer of each regiment, separate battalion, company of signal corps, separate troop, battery and field hospital

or any other unit on detached service to his immediate commanding officer on Form 68.

943. Medical report of service within ten days after the termination of service under M. L. 113, 115 or 116, by the senior medical officer of each regiment, separate battalion, company of signal corps, separate troop, battery and field hospital or any other unit on detached service, through his immediate commanding officer to the commanding officer of the division on Form 69.

944. Sanitary report daily when on duty under M. L. 113, 115 or 116.

945. Semi-annual sanitary report of post on June 1st and December 1st to the commanding officer of post on Form 34.

Ordnance Officers (in Addition).

946. On or before the 1st day of November, December, January, February, March, April and May by ordnance officers of regiments and battalions, report of armory small arms practice as required by regulations for small arms firing.

Officers in Control of Armories.

947. On or before April 30th annually, an inventory and return of public property under M. L. 195.

On or before October 1st annually, an itemized estimate of expenses under M. L. 182 for armories outside the city of New York.

Before September 1st annually, an itemized estimate of expenses for armories within the city of New York.

Commanding Officers in New York City.

948. On or before July 1st annually, to the commissioner of jurors, list of members of his command (section 637, Judiciary Law).

Duty Outside the State.

949. When military duty is performed outside the state by organizations or detachments or detached officers, a written report of the performance of the duty shall be made by commanding officers of said organizations or detachments or by said officers to the adjutant-general of the state promptly on the termination of the duty.

Morning Report.

950. The morning reports shall be made on Forms 41 and 42.

951. When on duty under M. L. 113, 115 or 116 there shall be rendered daily a report of the company. At other times a report shall be made of every assembly for military duty.

Attendance Book.

952. Records of attendance for all arms of the service, shall be kept in the attendance book Form 122.

ARTICLE L.

ORGANIZATION OF NEW COMPANIES.

960. New companies are created by orders of the governor and organized as follows:

When it is desired by an officer to organize a company authority therefor must be obtained from the governor and the officer thereunto authorized shall cause the recruited members to be examined by a medical officer designated for the purpose and their enlistment papers to be prepared and a muster-in roll made (Form 103). When the requisite number of men is enrolled a report of that fact shall be made to the governor and he may direct the commanding officer of the division to detail an officer to muster-in the organization which shall be done by inspecting the men, explaining their duties to them, examining their enlistment papers, administering the oath of enlistment and verifying and signing the muster-in roll.

If a person not in the military service desires to organize a company he shall submit to the governor an application on Form 104. If the application is granted the governor may direct the commanding officer of the division to detail a medical officer to make physical examinations and an officer to muster-in the organization as hereinbefore provided.

ARTICLE LI.

MUSTER ROLLS.

Muster-in Roll.

965. Two copies of the muster-in roll shall be made, one to be retained with the company and one to be forwarded. Each roll shall contain a certificate in the following form:

I hereby certify that pursuant to (class, number, source and date of orders) I have this day mustered into the national guard the above-named men, and that all requirements of the military law and regulations relating thereto have been complied with.

Signature *John A. Doe,*
Colonel, 1st Infantry,
Mustering Officer.

966. Upon the completion of the muster-in of an organization the mustering officer shall forward the papers as directed.

Muster-out Roll.

967. The directions for preparing annual muster rolls apply to muster-out rolls (Form 88), except that in the column of remarks opposite the names of the commissioned officers shall be placed the entry "rendered supernumerary." The roll shall be forwarded by the mustering officer to the adjutant-general of the state with all books and records of the command and the discharges of enlisted men, which were not delivered to them at the time of muster-out.

Annual Muster Roll.

968. Muster rolls shall be prepared in advance and handed to the mustering officer when the muster is to begin.

969. The officer who signs and certifies the muster roll is responsible for its preparation and correctness; the mustering officer is responsible only for the correctness of the entries he makes thereon.

ARTICLE LII.

DECORATIONS FOR LONG AND FAITHFUL SERVICE AND FOR VALOR.

975. The state will issue a decoration for long and faithful service to officers and enlisted men as hereinafter prescribed. It shall be of the design and with the ribbon approved and in use at the date these Regulations take effect.

976. This decoration shall be in four classes, viz.: IV Class for ten years' service; III Class for fifteen years' service; II Class for twenty years' service, and I Class for twenty-five years' service. The decoration in each class shall be issued to an officer or enlisted man in active service who has completed the specified period of active service in the national guard or naval militia of this state and performed an average of eighty per cent of the military duty required. Time spent as an unassigned supernumerary officer or as an officer on the retired list shall in no case be considered in the computation of the time served.

977. A decoration shall not be awarded to an applicant who has previously been discharged (unless he has rejoined within thirty days of his discharge) until he has served in addition to his previous service at least three years continuously performing an average of eighty per cent. of the military duty required.

978. Application for this decoration shall be made by the person entitled thereto on Form 105, which shall require the certificate of his immediate commanding officer and of other commanding officers if the applicant has served in other organizations as to the statements of service therein contained and shall be forwarded through next superior headquarters direct to the adjutant-general of the state. An application for this decoration of a higher class than one held by the applicant shall not recite particulars of service given in former applications, but shall state that a decoration has been awarded to the applicant and its class.

979. There shall be issued with each decoration a certificate executed by the adjutant-general of the state.

980. For acts of valor performed by officers or enlisted men of the national guard or naval militia in the discharge of their duties as such, the governor may issue the decoration for long and faithful service in solid silver, having on the obverse the words "For Valor" instead of "Faithful Service," and on the reverse the name of the recipient, his organization, the act or acts of valor performed, and the date or dates thereof; its ribbon to be of blue, watered and ribbed, silk.

981. The decoration for "Valor" shall be awarded only upon the recommendation of immediate and superior commanding officers approved by the adjutant-general of the state, who shall keep a record thereof and it shall be numbered consecutively in a series by itself.

ARTICLE LIII.

PUBLIC PROPERTY.

985. Public property is issued only on requisition. In making requisitions the directions on the forms used shall be strictly followed.

986. Separate requisitions shall be made on the prescribed forms for each class of property, i. e., quartermaster's stores, subsistence supplies, medical supplies, engineer's supplies, ordnance stores and signal stores.

987. The classification of property will be made in orders or circulars by the adjutant-general of the state from time to time.

988. Tables showing the prices of articles of uniform and equipment and the allowances therefor will be published in orders by the adjutant-general of the state.

989. Invoices and receipts shall be made in duplicate for each class of public property issued, received, turned over, taken up or exchanged.

990. In regiments composed of separate companies requisitions for public property for the use of the band, non-commissioned staff and detachment of hospital corps shall be made by direction of the regimental commander by the ordnance, quartermaster and commissary respectively for necessary ordnance, quartermaster and commissary property and by the medical officer for medical property for the entire regiment.

991. Requisitions shall be made, by direction of the commanding officer, by the engineer officer, ordnance officer, quartermaster, commissary of subsistence, signal officer or senior medical officer of an organization for such engineer, ordnance, quartermaster, commissary, signal or medical property respectively, as may be needed, except that commanding officers of companies of signal corps, batteries of field artillery, separate troops and companies, field hospitals and ambulance companies shall for their respective commands make requisitions for all classes of public property, except medical property for separate companies.

992. Requisitions under section 991 require the action of regimental commanders and shall be forwarded by them direct to division headquarters, except as otherwise provided.

993. A requisition to replace non-expendable articles shall so state and also that the action of a surveying officer has been applied for or that a surveying officer has acted and state his findings.

994. A requisition to replace expendable articles shall be accompanied by expenditure Form 106 properly filled out.

995. All officers making requisitions for clothing and equipage shall conform to regulations and orders fixing allowances. The sizes furnished require very little, if any, alteration, and requisitions should be made as near the exact requirements of the men as possible.

996. Should any of the sizes of clothing supplied prove inadequate, measurements stated upon prescribed blanks shall be forwarded with the requisition for the garments. A certificate that the enlisted man for whom such clothing is intended cannot be fitted with the sizes of clothing furnished shall accompany each requisition. Additional cost of manufacture, as given in annual price list, will be charged in each case.

997. The following named musical instruments are proper for an enlisted band, viz.: Db piccolo, terz and concert flutes, Eb and Bb cornets, Eb and Bb trumpets, Eb and Bb clarionets, Eb altos, Bb trombones (valve or slide), Bb baritones, Eb, Bb, and BBB basses, bass and snare drums, cymbals, triangles, music stands, and extra parts for the repair of the instruments; also batons with suitable cords and tassels for use of drum majors of all dismantled bands. Mounted bands may be supplied with a pair of kettledrums in lieu of the bass and tenor drums, cymbals, and triangles, and also with altos, trombones, and basses of helicon shape. A flugelhorn may be furnished in lieu of the Eb trumpet, a euphonium in lieu of one alto, one Eb alto saxophone, and one Eb baritone saxophone in lieu of two cornets; but under no circumstances will more than a complete instrumentation for 28 musicians be supplied. In making requisition for band instruments a statement showing the number and kind on hand and their condition should accompany the same. All the property specified shall be accounted for by the quartermaster of the regiment. When any instrument has become unserviceable it shall be submitted to a surveying officer. A copy of his report shall be forwarded to the adjutant-general of the state with a view of having the instrument repaired, if practicable, or otherwise disposed of. When an instrument needs minor repairs, involving only a slight expense, and the work can be done in a workmanlike manner in the vicinity of the post, it will not be necessary to submit the instrument to a surveying officer. Such repair may be secured upon the written order of the commanding officer, but a report of the nature of the work and cost involved shall be made to the adjutant-general of the state, through proper military channels.

998. There will be furnished to each field battery two small brass Bb bugles; to every other company two G trumpets with F slides, and if desired, detachable F crooks. Foot troops may, in addition thereto, use the drums and fifes if desired by regimental or district commanders. Whistles will be furnished for such sergeants, corporals, or musicians as are required to use them. The foregoing articles shall conform to patterns in the office of the adjutant-general of the state and shall be accounted for as equipage.

999. No arms, equipment or military property of any description shall be loaned.

1000. An officer who issues public property or stores of any description except under orders of competent authority shall be charged with the value thereof.

1001. No officer shall turn in any public property or stores except on the direction of competent authority in conformity with the M. L. and these Regulations.

1002. Upon the receipt of a requisition for public property the adjutant-general of the state will notify direct the officer making the requisition as soon as practicable of the action taken.

1003. Officers and enlisted men are responsible for the care and preservation of all public property intrusted to their charge, or which may come by any means into their keeping or possession, and shall turn it over to the proper officer.

1004. Property obtained by purchase with the military fund of an organization to replace in kind losses due to avoidable causes shall be taken up and accounted for upon the property returns with a statement of the transaction and the property which it replaces shall be dropped.

1005. All public property, whether paid for or not which comes into the possession of an officer, shall, except as provided in section 1004 be taken up and be accounted for on the proper returns. All public property unaccounted for when discovered by an officer accountable for that class of property, shall be taken up and the usual returns rendered therefor. When discovered by officers not accountable for that class of property, or by enlisted men or civilian employees, they shall report the same as soon as practicable to an officer so accountable, who shall take it up and account for it. In the absence of such an accountable officer the senior officer, enlisted man, or civilian employee present shall take charge of such property and report it to the commanding officer of the division.

Purchases.

1006. Where purchases are made by an accountable officer he shall take the same up on his returns; where purchases are made by a non-accountable officer he becomes as to such property an accountable officer and shall make returns accordingly.

1007. An officer who makes purchases of public property shall make a return of purchases and issues on Form 27 except for such subsistence stores as are accounted for on Form 32.

Care and Responsibility.

1008. When property is received otherwise than by a regular issue, a report thereof shall be made promptly to the adjutant-general of the state.

1009. It is the duty of all officers and enlisted men at all times to take the necessary measures to preserve public property intrusted to their care in good order and serviceable condition; and they are personally responsible for any loss or damage due to neglect of this duty.

1010. The use of serviceable tents or other canvas for any purpose other than that for which such articles are furnished is prohibited, except in cases of emergency when necessary to protect public property. The prescribed allowance of tentage and equipage shall habitually be kept in the possession of the command to which it is issued. After use and before being put away, tentage and equipage shall be thoroughly aired, dried, and put in serviceable condition, so as to be ready for immediate use when again required.

1011. Except as otherwise specially provided, if an officer in charge of the public property of a command is by order, leave of absence, or any other cause separated from it, the commanding officer, or an officer designated by him, shall receipt and account for it. If it becomes necessary to remove all officers from the charge of public property, the commanding officer shall take measures to secure it and report the circumstances to the adjutant-general of the state.

1012. Accountability and responsibility devolve upon any person to whom public property is intrusted and who is required to make returns therefor. Responsibility without accountability devolves upon one to whom such property is intrusted, but who is not required to make returns therefor. An accountable officer is relieved from responsibility for property for which he holds a proper memorandum receipt. An officer is not relieved from responsibility for public property for which he has given a memorandum receipt until he has returned the property to the accountable officer, or has secured a memorandum receipt from a successor, or until he has otherwise been relieved by the operation of the Regulations and orders.

1013. The officer in permanent or temporary command of a post or station shall be responsible for the security of all public property of the command, whether in use or in store, and, although for purposes of periodical accountability to the adjutant-general of the state it may all have been officially receipted for by subordinate officers, the commanding officer is nevertheless responsible and pecuniarily liable with them for the strictest observance of the Regulations in regard to its preservation, use and issue. He shall take care that all storehouses or storage places are properly guarded, that only reliable agents are employed, and only trustworthy enlisted men are detailed for duty in them or in connection with property.

1014. The officer in temporary or permanent command of a company or detachment shall be responsible for all public property used by or in possession of the command, whether he receipts for it or not.

1015. The property responsibility of a company commander cannot be transferred to enlisted men. It is his duty to attend personally to its security, and to superintend issues himself or cause them to be superintended by a commissioned officer.

1016. A company or detachment commander is responsible for all public property pertaining to his company or detachment, and shall not transfer his accountability therefor to a successor during periods of absence of less than a month unless so ordered by competent authority; when such absence exceeds a month, the question of responsibility shall be settled by the proper authority.

1017. If an article of public property be lost or damaged by the neglect or fault of any officer or soldier, he shall pay the value thereof, or the cost of repairs, at such rates as may be determined according to law.

1018. If an officer to whom public property has been transferred fails to receipt for it within a reasonable time, the invoicing officer shall report the facts to the commanding officer of the former for action.

Copies of all papers relating to the transaction shall be filed with his returns.

1019. Upon the receipt of public property by an officer he shall make careful examination to ascertain its quality and condition. Should he discover defect or shortage, he shall apply for the action of a surveying officer to determine it and fix the responsibility. The same procedure shall be followed should he consider the property unfit for use and for property damaged or missing while in store.

1020. When packages of public property are opened for the first time, whether because of apparent defect or for issue, the officer responsible or some other commissioned officer shall be present and verify the contents by actual weight, count, or measurement, as circumstances may require, and in case of deficiency or damage shall make written report of the facts to the post commander. If only the officer responsible be present and make the report, he shall secure the sworn statements in writing of one or more civilians or enlisted men regarding the condition of the property when examined. The report and sworn statements shall be immediately forwarded direct to the adjutant-general of the state. At arsenals and depots, where there are persons whose special duty it is to receive and issue public stores, the reports herein required may be made by them instead of officers of the active militia.

1021. The responsibility for non-examination of all public property rests with the receiving officer, and his receipts for public property shall be conclusive as to his responsibility.

1022. When an officer to whom public property is forwarded has reason to suppose it has miscarried, he shall send immediate notice direct to the officer who made the issue.

1023. Should an officer, accountable for public property, neglect and refuse to render a return thereof or fail in his return to properly account for such property or give satisfactory reasons for such neglect and refusal the money value of the property to be accounted for shall be charged against him, and immediate steps shall be taken by the proper officer to collect such money value. (M. L. 169.)

1024. An officer shall have credit for an expenditure of property made in obedience to the order of his commanding officer. If the expenditure is disallowed, it shall be charged to the officer who ordered it.

1025. An officer shall be relieved from accountability for public property only as follows:

- a. Unexpendable property by the receipt of an officer authorized by order to receive the same or by an authorization to drop the same.
- b. Expendable property by certificate Form 106 to accompany the property return.

1026. Tables of expendable property will be issued from time to time in orders by the adjutant-general of the state.

1027. Ammunition shall only be expended in target practice, preliminary instructions of the soldier and military exercises, within the prescribed allowances; in the protection of life and property and the preservation of the peace; in carrying out the prescribed duties of sentinels and for authorized salutes.

1028. An officer who receipts for property for the guard under the head "Articles in charge" shall be relieved from all responsibility for it by the receipt of his successor.

1029. An officer accountable for property lost or destroyed shall apply for the action of a surveying officer.

1030. An officer responsible for property to be surveyed shall in all cases furnish affidavits or the testimony of the witnesses upon which he relies to relieve him from responsibility, and the proper number of duly attested copies of such affidavits shall accompany the report.

1031. In case of loss or damage to an armory or property therein to an amount exceeding one hundred dollars caused by explosion, fire or the elements the officer in charge and control shall make immediate report of the facts to the adjutant-general of the state and to the commanding officer of the division in the most prompt manner possible using the telephone if available. Pending instructions the officer shall take such action as may be necessary to protect and preserve public property.

1032. When public property is stolen the accountable or responsible officer shall make immediate report of the facts in writing to the adjutant-general of the state and to the commanding officer of the division; shall take appropriate action to recover the property and shall lay the facts before the district attorney of the county where the offense was committed.

1033. On knowledge or receipt of information that military public property of or issued by the state is unlawfully in the possession of any person not in the military service, an officer or enlisted man shall at once report the fact to the commanding officer of the post where he is serving or to which he is attached, who shall promptly take necessary action to recover the property.

1034. An officer accountable for non-expendable property worn out or damaged in the public service, shall apply for the action of a surveying officer.

1035. When public property is presented to a surveying officer for action for condemnation, the accountable officer shall certify on the inventory, that the property has not previously been condemned.

1036. When public property is destroyed by order of proper authority the destruction shall be witnessed by a disinterested officer designated by the officer ordering its destruction or the commanding officer of the post where it is destroyed. The affidavit of the witnessing officer that the property has been destroyed in his presence as authorized shall be made in quadruplicate, three copies shall be forwarded direct to the adjutant-general of the state and one shall be retained.

1037. When public property or personal baggage to be transported at public expense is to be shipped by a public carrier, each package shall be marked plainly with the name and address of the person to whom it is to be forwarded and the name of the person from whom it is sent; when there are more packages than one, they should be numbered from one upward.

1038. Except as authorized in M. L. 192 public property shall not be used nor shall employees in the military service be employed for any private purposes whatsoever.

1039. An officer receiving public property shall receipt therefor. The giving or taking of receipts in blank for public property is prohibited.

1040. In the use of everything furnished or issued by the state the utmost economy shall be practiced; allowances shall not be exceeded, in fact the effort shall be in the opposite direction. The greatest economy is not only due to the state, but it is absolutely necessary to enable the authorities to carry out a progressive advance in military instruction.

1041. The allowance and kinds of ordnance, quartermaster, subsistence, signal and engineer property, stores or supplies will be fixed by the governor, upon the recommendation of the commanding officer of the division, and announced from time to time in orders by the adjutant-general of the state.

1042. Post flags, storm flags and halyards for each post and state arsenal shall be issued in accordance with actual need.

1043. Commanding officers of companies and detachments and larger military units shall be responsible to their superior commanding officers that the authorized allowance of public property, stores and supplies is always on hand and in serviceable condition.

To this end such commanding officers shall require applications for the action of a surveying officer to be made promptly when necessary and requisitions to be made at frequent intervals when property has been expended or is needed.

1044. Every commanding officer responsible for public property shall keep a record of it or require a record to be kept if the property is intrusted to the care of his subordinates.

1045. The record shall show the amount and kind of public property, the date of its receipt and the officer from whom received, or to whom issued.

1046. A commanding officer of a company or other officer who issues public property to enlisted men shall keep a property account to show the names of the enlisted men to whom he issues property, its kind and quantity and the date of issue and shall obtain the receipt of an enlisted man for all public property issued for his individual use or equipment. Such officer shall return or cancel the receipts and have the proper entries made in the account when the property is returned.

Return of Public Property.

1047. Every officer who is accountable for public property shall make a return thereof to the adjutant-general of the state at the time of the annual inspection on the forms prescribed. This return shall be made in duplicate, one copy shall be forwarded direct on the date of the inspection, the other shall be retained, each copy shall have a complete set of vouchers.

1048. A return shall show the property on hand at the date of the last return or in the case of a new accountable officer, at the date of the final return of his predecessor; the property received since, disposed of in any manner; and remaining to be accounted for at the date of the return.

1049. The receipt of property shall be supported by invoices; or if property be found and taken up, by an inventory and statement on honor setting forth the transaction.

1050. The disposal of property shall be shown by receipts for property issued or transferred, or by a copy of the order authorizing property to be dropped, or by the certificate of expenditure for property expended. When the vouchers are numerous they may be consolidated in an abstract, but the original vouchers shall also be forwarded.

1051. When an enlisted man has been convicted by a military court, of losing or damaging public property, the officer accountable for the property shall send with his property return a certified copy of so much of the military court order as refers to the case, giving number, date, and place of issue of the order, and stating on the face of said copy the amount of fine imposed as the value of the property, the action taken to collect it and the disposition made of any money collected.

1052. Preparatory to the annual inspection every officer accountable for public property shall take or cause to be taken an inventory by actual count of all the property in his possession or with which he is charged. The accountable officer may make the count or accept the certificate of an officer who is responsible for the property stating the amount the latter has on hand and that he has made the required actual count. This inventory by actual count shall cover all the property issued by the state to, or purchased with the military fund of, or allowances for an organization, whether on hand in the store rooms and lockers or in the possession of the troops, so as to show all public property in the possession of the organization. If more property be found than the accountable officer is charged with it shall immediately be taken up by the accountable officer and entered upon the annual return and upon this inventory in the column headed "Number charged." If a shortage be found an application for a surveying officer shall immediately be made. Three copies of this inventory shall be made, one to be retained, one for the state inspecting officer and one to be forwarded with the annual return.

ARTICLE LIV.

SURVEYING OFFICER.

1060. Whenever any public property issued by the state to, or purchased with the military fund of, or allowances for an organization has been lost, stolen or destroyed or has become unserviceable or unsuitable from use in service or from any other cause, a disinterested surveying officer appointed by the governor or by his direction by the commanding officer of the division or the commanding officer of a regiment, separate battalion or post shall investigate and report the causes thereof and the responsibility therefor.

1061. The proceedings of a surveying officer shall be made in quadruplicate, separate proceedings being made for each class of property, and forwarded to the adjutant-general of the state direct for examination and presentation to the governor.

1062. If it appears from the proceedings of the surveying officer that the property has been lost or destroyed through unavoidable causes the accountable officer shall be relieved from further accountability therefor:

a. If state property, by order of the governor.

b. If United States property, and the state is relieved from further accountability therefor, by order of the governor.

1063. If it appears from the proceedings of the surveying officer that the loss or destruction was due to carelessness or neglect or that the loss could have been avoided by the exercise of reasonable care, the person responsible and the person or command to be charged shall be determined as provided by M. L. 169.

1064. If the articles surveyed are found to be unserviceable or unsuitable, the governor will direct what disposition shall be made of them.

1065. The examination of unserviceable or unsuitable public property shall be made at least annually and the proceedings of a surveying officer shall show in detail opposite each article on his reports in what respect the property is unserviceable or unsuitable; and shall indicate in each case, for the guidance of the governor the disposition which should be made of the property. In case of any public property rendered unserviceable through causes other than the ordinary incidents of service, the surveying officer shall investigate and report the causes and recommend to the governor the necessary action to fix personal responsibility for the damages in each case.

1066. The surveying officer shall fully investigate matters submitted to him, calling for all evidence obtainable and not limiting his inquiries to proofs or statements presented by parties in interest. He shall hear in person or by affidavit all persons concerned in the subject-matter before him, shall rigidly scrutinize the evidence, especially in cases of alleged theft or embezzlement, and shall not recommend the relief of officers or enlisted men from responsibility unless fully satisfied that those charged with the care of the property have performed their whole duty in regard to it. When small arms are lost, in order to obtain relief it must be shown by the report of the surveying officer that every possible precaution was taken for their safe-keeping.

1067. The following classification of the causes of damage to and of loss and destruction of public property shall govern:

Unavoidable causes, are those over which the responsible officers have no control, occurring (a) in the ordinary course of service, or as incident to active field service; (b) accident or destruction without fault or neglect of responsible officer.

Avoidable causes, are those due to carelessness, willfulness, or neglect.

1068. An officer who desires to be relieved from accountability for public property which has been lost, destroyed or damaged or which was damaged when received or did not agree with the invoice, shall make written application direct to the adjutant-general of the state

requesting the action of a surveying officer thereon. The application shall contain or be accompanied by a list of the articles to be surveyed, the different classes of property being on separate lists.

1069. When the immediate action of a surveying officer is necessary upon public animals, or perishable property, or property to be destroyed to prevent the spread of communicable disease, the commanding officer of a post or camp may appoint a disinterested surveying officer and the animals or property may be destroyed on his recommendation approved by the appointing officer if each animal or the property so destroyed is of less value than five hundred dollars; and the proceedings with a full statement of the facts in the case shall be forwarded direct to the adjutant-general of the state for such action as the governor may direct to determine the accountability and responsibility for the loss or damage. Before ordering the destruction of public animals or public property under the provisions of this section the commanding officer shall personally inspect the same and shall be held responsible that the conditions justify the action.

1070. An accountable officer about to request the action of a surveying officer on property for which another officer is responsible, shall notify the latter of his intention. The responsible officer shall within ten days thereafter furnish the accountable officer with the names and addresses of witnesses and all the documentary evidence available upon which he relies to obtain relief from his responsibility. Upon receipt of such information or evidence or at the expiration of ten days from the date of giving the above notice the accountable officer shall make his application.

1071. A surveying officer shall give to an officer applying for a survey not less than seven days' notice of the time when and the place where the hearing will be held except in the cases provided under section 1069 or unless at least equal notice has been published in orders.

1072. A surveying officer cannot condemn public property except as provided in section 1069. His action is purely advisory. He shall ascertain and report facts, submit opinions and make recommendations upon questions of administrative responsibility which may arise through accident, mistake, neglect or unusual act which cannot be determined by established rules. For example, he investigates and determines questions involving the character, amount and cause of damage and deficiency which public property may have sustained in transit, in store or in actual use, reports the investigation made, his opinions thereon, and his opinion as to the responsibility therefor and the party at fault, whether the carrier, the accountable or responsible officer or other persons. He verifies the discrepancy between invoices and the actual quantity or description of property transferred from one officer to another; fixes definitely amounts received for which the receiving officer must receipt, and, as far as possible, where and how the discrepancy occurred.

1073. The report of a surveying officer which recommends the relief of an officer or an enlisted man from responsibility should not be ap-

proved unless full and careful investigation and convincing proof to sustain the findings appear.

1074. Property for the action of a surveying officer shall be arranged in the order of enumeration in the list and every article shall be examined by him. The accountable officer shall accompany him and give all the necessary information as to its issue, use, care, the means taken to preserve it and its present condition with the cause thereof.

1075. Public property in use shall not be reported unserviceable by a surveying officer, merely because worn or shabby in appearance, when it is really strong and serviceable.

1076. Great care shall be taken by both the surveying officer and the accountable officer to prevent property once condemned and ordered to be dropped from the returns from being again presented for the action of a surveying officer.

1077. A surveying officer shall exercise great care in making recommendations regarding the disposition of property submitted for his action. Articles "to be continued in service" are such as are still serviceable. Those "to be turned in" are such as cannot be repaired at the post and are worth the cost of transportation. Those "to be dropped from the returns" are such as cannot be sold at the post and are not worth the cost of transportation for repair. If utterly worthless and without money value at or near the place of survey he shall recommend their destruction and shall state in his report that "the articles recommended to be destroyed have no money value at or near the post."

ARTICLE LV.

SUBSISTENCE SUPPLIES AND ACCOUNTS.

General Provisions.

1080. Subsistence supplies comprise all articles of subsistence stores and subsistence property. Subsistence stores consist of the articles composing the ration. Subsistence property consists of the necessary means for handling, preserving, issuing, selling and accounting for subsistence stores.

1081. When troops are on duty pursuant to orders of the governor or upon the call of a civil authority, they shall be provided with subsistence supplies by the state or the civil authority. In the former case the cost falls on the state, in the latter case on the county in which the troops are called upon to serve. The allowances shall be the same in either case. The state allows forty cents as the cost price of the ration, which shall not be exceeded.

1082. When troops are on duty with any part of the United States army under the provisions of section 15 of an act of congress entitled "An act to promote the efficiency of the militia and for other purposes," approved January 21, 1903, as amended, they will receive from the United States the army ration. They shall in addition thereto receive from the state to supplement such ration an allowance not to exceed fifteen cents per man per day.

1083. An officer on duty with troops shall receive the ration issued to the troops in kind, unless on duty with United States troops as provided in the preceding section when he may commute the ration at the rate of forty cents per day.

Allowances.

1084. The state allows subsistence for each officer and enlisted man of an organization when on duty. Officers and enlisted men temporarily attached are, for the purpose of obtaining subsistence, considered part of the organization with which they are serving at the time.

1085. The state allows subsistence for authorized civilian employees.

1086. The United States allows subsistence only for enlisted men and for specially authorized employees.

1087. It may become advisable or necessary in the state service to provide cooked meals; if so, authority should be asked for, and if obtained, the cost should not exceed fifty cents per meal or one dollar and a half per day for each ration.

The Ration.

1088. A ration is the allowance for the subsistence of one person for one day, and varies in components according to the station of the troops or the nature of the duty performed. The garrison ration is for troops in garrison or in permanent camps. The field ration is for troops in the field with sufficient transportation. The haversack ration is for troops in the field in active campaign when transportation is limited. The travel ration is for troops traveling otherwise than by marching and separated from cooking facilities and the emergency ration is for troops in active campaign for use on occasions of emergency.

The commanding officer shall determine which of the several prescribed rations is appropriate for the particular service to be performed and shall direct the use of the same.

The state furnishes the same kind of rations as the United States army, except as provided in section 1094.

1089. The kinds and quantities of the component articles of the ration and the substitutive equivalent articles which may be issued in place of such components shall be as follows:

356 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Table Showing the Amounts of the Component Articles of the Ration and of their Substitutive Equivalents.

(Amounts of the component articles printed in heavy type.)

ARTICLE.	Garrison ration.	Field ration.	Haversack ration.	Travel ration.
	Ounces.	Ounces.	Ounces.	Ounces.
Beef, fresh.....	20	<i>a</i> 20	.....	.....
Mutton, fresh.....	20	<i>a</i> 20	.....	.....
Bacon.....	12	12	12	.....
Beef, corned, canned.....	<i>b</i> 16	16	.....	12
Beef, fresh, roast, canned.....	<i>b</i> 16	16	.....	.....
Hash, corned beef.....	<i>b</i> 16	16	.....	12
Fish, dried.....	14	.....	.....	.....
Fish, pickled.....	18	.....	.....	.....
Fish, canned.....	16	.....	.....	.....
Chicken, drawn.....	<i>c</i> 16	.....	.....	.....
Turkey, drawn.....	<i>c</i> 16	.....	.....	.....
Flour.....	18	18	.....	.....
Soft bread.....	18	18	.....	18
Hard bread.....	<i>d</i> 16	16	16	16
Cornmeal.....	20	.....	.....	.....
Baking powder.....	.08	<i>e</i> .64	.....	.....
Yeast.....	.....	<i>f</i> .04	.....	.....
Beans.....	2.4	2.4	.....	.....
Beans, baked.....	.....	.....	.....	4
Rice.....	1.6	1.6	.....	.....
Hominy.....	1.6	.....	.....	.....
Potatoes, fresh.....	20	<i>a</i> 16	.....	.....
Potatoes, canned.....	15	12	.....	.....
Onions, fresh.....	20	<i>a</i> 16	.....	.....
Tomatoes, canned.....	20	16	.....	.08
Other vegetables fresh (not canned).....	20	.....	.....	.....
Prunes.....	1.28	.....	.....	.....
Apples, evaporated.....	1.28	.....	.....	.....
Peaches, evaporated.....	1.28	.....	.....	.....
Jam.....	1.28	1.4	.....	1.4
Coffee, roasted and ground.....	1.12	1.12	1.12	1.12
Coffee, roasted.....	1.12	.....	.....	.....
Coffee, green.....	1.4	.....	.....	.....
Tea.....	.82	.32	.....	.....
Sugar.....	3.2	3.2	2.4	2.4
Milk, evaporated.....	.5	.5	.5	.5
Vinegar.....	Gill.	Gill.	Gill.	Gill.
Pickles, cucumber.....	.16	.16	.....	.....
Salt.....	Ounce.	Ounce.	Ounce.	Ounce.
Pepper.....	.64	.64	.16	.....
Cinnamon.....	.04	.04	.02	.....
Cloves.....	.014	.....	.....	.....
Ginger.....	.014	.....	.....	.....
Nutmeg.....	.014	.....	.....	.....
Lard.....	.64	.....	.....	.....
Butter.....	.5	.....	.....	.....
Oleomargarine.....	.5	.....	.....	.....
Syrup.....	Gill.	Gill.	Gill.	Gill.
Flavoring extract, lemon.....	.32	.....	.....	.....
Flavoring extract, vanilla.....	Ounce.	Ounce.	Ounce.	Ounce.
	.014	.....	.....	.....
	.014	.....	.....	.....

a When procurable locally.
b When impracticable to furnish fresh meat.
c On National holidays, when practicable.
d To be used only when impracticable to use flour or soft bread.
e When ovens are not available.
f When ovens are available.

Emergency Ration.

1090. The emergency ration is furnished, in addition to the regular ration, as required for troops on active campaign and shall not be opened except by order of an officer or in extremity, nor used when regular rations are obtainable.

1091. Ration returns upon which emergency rations are drawn shall bear the certificate of the organization commander that such rations are required for the enlisted men of his organization and that the money value of any emergency rations previously drawn by him, and improperly opened or lost, has been charged against the person responsible.

1092. Company and detachment commanders are responsible for the proper care and use of emergency rations carried on the person of the soldier.

1093. The emergency ration is packed in sealed cans, one ration to a can, and is habitually carried by every enlisted man in campaign constituting part of his field kit.

1094. Additional articles of the ration when furnished by the state are:

	Ounces.
Ham, in place of other articles of the meat ration.....	12
Fresh fish, in place of other articles of the meat ration.....	20
Cheese	4

The Travel Ration.

1095. When a journey by rail is to be of any considerable length, arrangements may be made to obtain liquid coffee at suitable railway stations and times.

In the United States and state service there is allowed for this purpose twenty-one cents per man for each full period of twenty-four hours' travel, beginning with the hour of starting, and for any fractional part of a twenty-four hour period at the end of the journey at the rate of seven cents for each meal in such fractional part, three meals being allowed for a full period of twenty-four hours.

In the United States service should any part of this allowance remain unexpended it shall be transferred to the company commanders pro rata to be used by them as part of the company fund.

1096. For use as part of the state travel ration, coffee and tea can be obtained in condensed form in shape of balls, lozenges or tablets, easily dissolved in hot water. Cans of meat, beans or anything else of six pounds or less will be found more advantageous than larger sizes or packages.

Other Issues of Subsistence Stores.

1097. The following issues are authorized when necessary for the public service and shall be made on ration returns approved by the

commanding officer, who shall determine what quantities, within the limits prescribed below, shall be issued:

a. Soap:

To organizations for each ration, .64 ounce.

b. Candles, when illuminants are not furnished by the quartermaster's department:

To organizations for each ration, .24 ounce.

To headquarters in the field of organizations larger than a company, to hospitals, depots of supply, guards, and telegraph stations, such quantities as the commanding officer may order as necessary.

c. Lantern candles:

For use in lanterns used in the public service, such quantities as the commanding officer may order as necessary.

d. Matches:

For lighting fires and lights, for which fuel and the necessary illuminating supplies are issued, such quantities as the commanding officer may order as necessary.

e. Toilet paper:

For use at military camps, and rendezvous or where sanitary conditions require its use, one package or roll of 1,000 sheets for every sixty rations.

f. Ice:

To organizations, when practicable and where rations are issued in kind, for each ration, 4 pounds; the maximum allowance to any organization or detachment of less than 100 men to be 100 pounds a day, and to organizations of 100 men or more to be 1 pound a day a man.

To the commissary, for the preservation of subsistence stores only and to a hospital, such quantities as the commanding officer may order as necessary.

Subsistence Property.

1098. The state allows subsistence property as follows:

Cooking outfits, complete, of suitable sizes, to the headquarters of the division, of brigades, of regiments, of battalions not part of regiments, of battalions serving detached from their regiments; to the non-commissioned staff officers of a regiment; to a detachment of hospital corps; to a band; to each troop, battery and company.

Portable platform scales, field desks, commissary chests and, when necessary, field safes to the headquarters of a regiment, a battalion not part of a regiment, and to a battalion serving detached from its regiment.

The necessary blank books, forms and stationery.

Purchases.

1099. Whenever it is practicable the adjutant-general of the state will make contracts for subsistence. When such contracts have not been made, commanding officers, when on duty under or pursuant to

the orders of the governor, may order, when so authorized by the governor, the purchase of such subsistence supplies as are absolutely required to enable them to carry out their orders, but only in such quantities as herein prescribed as the nature and probable length of the service will justify. In such cases bids should be obtained from at least two dealers, and purchases made from the lowest responsible bidder.

1100. In extreme emergencies, when on duty under or pursuant to the orders of the governor, commanding officers are authorized to order purchases without prior authority from the governor, but in such cases they shall report their action forthwith, through the channel, to the adjutant-general of the state, transmitting a statement of the articles purchased and of the cost thereof.

1101. Commanding officers of organizations on duty in aid of the civil authorities shall without authority from the governor order the purchase of supplies. Only what is absolutely necessary for the immediate use and care of their commands and in quantities prescribed by Regulations shall be thus purchased. The cost of a ration shall not exceed forty cents exclusive of the cost of transportation. They are not required to render a report to the adjutant-general of the state, as set forth in section 1100.

1102. Officers, who may be required to make purchases, shall keep themselves well informed where articles required for subsistence can be obtained on short notice and at what cost, and also as to markets, prices and quantities, so that when ordered to purchase, there will be no delay. To this end, they shall, from time to time, enter into arrangements with dealers for the prompt delivery of supplies when needed.

1103. In making purchases of the following, a bushel (U. S. standard) should weigh,

	Pounds.		Pounds.
Apples, dried	25	Onions	57
Barley	48	Peaches, dried	33
Beans	60	Peas	60
Beets	52	Potatoes	60
Carrots ..	50	Rye	56
Corn	56	Salt, fine	60
Corn meal	50	Turnips	60
Hominy	45	Wheat	60
Oats	32		

1104. As a rule it will not be necessary to make purchases until the supplies are actually required, and arrangements can generally be made for their delivery in accordance with the demand.

If practicable, arrangements should be made, so that surplus articles, when the service ceases, will be taken back by the sellers.

Vouchers.

1105. Separate vouchers shall be made for the purchase of subsistence stores and for the purchase of subsistence property.

1106. A voucher shall show by whom the purchase was ordered and why it was ordered, what was purchased, the quantity thereof and the cost in detail and total. If purchases have been made under a contract, written agreement or order from proper authority, the contract, agreement or order, if not already forwarded, shall be attached to the voucher.

When purchases are to be paid for by the state the purchasing officer shall certify all vouchers and forward the same with the required return, to the commanding officer for his action and transmittal to the adjutant-general of the state for payment.

1107. When purchases are to be paid for by a county treasurer, the voucher shall be certified by the commanding officer (M. L. 211) who shall forward the same to the commanding officer of the division or brigade as the case may be. The division or brigade commander after approving the voucher shall forward it to the proper county treasurer for payment.

1108. The signature to a receipt and the name of the business firm as entered at the head of an account shall be literally alike. When a payment is to be made to an attorney, he shall be required to sign the receipt with the name of the principal, adding the words "by his (or her) attorney in fact," signing his own name thereafter. When the signature to a receipt is not written by the hand of the party, his mark shall be witnessed, and by a commissioned officer if practicable.

1109. To obtain the allowance made by the state under section 1082 a voucher shall be prepared at the close of the service by the commissary officer and certified by him. He shall submit it to his commanding officer for his action and transmittal to the adjutant-general of the state for payment. This voucher shall show the name of the organization, the service performed, the authority therefor, the number of officers and enlisted men present for each day of the service, the total number of officers and enlisted men, the allowance for each and the total allowance. Claims for payment shall only be made for the amount actually expended, and in support thereof, properly receipted commissary sale slips or bills of dealers shall be furnished, showing stores actually delivered, and the particulars of these sale slips or bills shall be entered on the voucher.

1110. So far as practicable the purchase of stores with the allowance provided for in section 1082 shall be made by the commissary officer for issue to the subdivisions of the command in such manner as may be prescribed by the commanding officer.

REQUISITIONS FOR SUBSISTENCE SUPPLIES.

Stores and Property.

1111. To obtain subsistence supplies by other means than purchase, requisition shall be made on the issuing officer.

1112. An issuing commissary who is not also a purchasing commissary makes requisition for subsistence supplies on Form 107, approved by his commanding officer through the channel on the nearest purchasing commissary. The requisition shall state quantity on hand, number of the men, and how long to be supplied. Separate requisition in

duplicate shall be made for subsistence stores and for subsistence property.

Ration Returns.

1113. A requisition on which subsistence stores are issued to organizations is a ration return. Ration returns are ordinarily made for not less than two days, except such as cover travel rations.

1114. The commanding officer of a company, non-commissioned staff or detachment ordinarily makes the ration return for his command on the day before the rations are required and submits it with the daily morning report to his commanding officer. The medical officer in charge of a hospital makes a ration return for the sick in hospital. The officer who employs civilians, authorized to be subsisted, or the officer directed to subsist civilian employees makes the ration return for them.

1115. A ration return is based upon the full enlisted strength of a command present on the day it is submitted, as shown by the morning report. For men who joined after a return has been submitted rations are added to the next return and rations are subtracted for those who have left. Post, separate battalion and regimental commanders before approving returns shall cause the additions and deductions thereon to be verified by comparison with the morning reports of the subdivisions. Men sick in hospital, though present at the post or camp with their command, are not included in the return of the subdivision.

1116. Ration returns for troops shall be signed by the immediate commanders of the organizations, and approved by the commanding officer. After approval they shall be presented to the commissary for action. Single ration returns shall be submitted for organizations, including persons permitted to mess separately, and shall embrace all persons actually present. Individual "Ration and Savings Accounts" shall not be opened for enlisted men or civilian employees permitted to mess separately. Company and detachment commanders shall personally verify the additions and deductions of rations on the returns on account of men joining and leaving during the ration periods immediately preceding, and the proper authority before approving such ration returns shall cause them to be verified.

1117. The state allows subsistence for officers and authorized civilian employees. When subsistence is paid for by the state or by a county the return suitably altered may include all these persons. When subsistence is paid for by the United States the ration return shall include only enlisted men and specially authorized employees and separate ration returns shall be made, for officers, civilian cooks and authorized servants and civilian employees and when approved forwarded direct to the adjutant-general of the state for payment.

1118. The form of a ration return for a subdivision is Form 28.

1119. A full day's ration is the unit. Fractional parts of the unit for a fractional part of a day are not allowed. Enlisted men joining station at or before dinner hour of a given day shall be allowed full rations for the day.

1120. When a person entitled to rations leaves a command the rations allowed for him for any period beyond the date of his leaving and not taken with him shall be deducted on the next ration return.

1121. If an enlisted man joins a command in any manner (for example, a recruit, from furlough, from hospital, or from detached service) after the ration return has been rendered by the commanding officer, he shall be subsisted on the rations in possession of the command which were drawn before his arrival.

The command thereby becomes entitled to add to the next ration return rendered by it as many rations as there were days from the date of his joining to the end of the ration period current at the time. If more than one man join, the command is entitled to add to the next ration return the sum of all the rations so due it.

For example, if the period for which the last return made was from January 1st to January 10th and the men shown below joined during that period, the total number of rations to be added to the return for January 11th to January 20th would be 62.

Corp. A — from hospital, Jan. 2.....	9 rations to Jan. 10.
Sergt. B — from furlough, Jan. 5.....	6 rations to Jan. 10.
Detachment, 15 men from detached service, Jan. 8.	45 rations to Jan. 10.
Pvt. C — recruit, Jan. 9.....	2 rations to Jan. 10.

62

Commanding officers shall see that all rations due their commands are properly entered on the ration returns.

1122. If an enlisted man leaves a command in any manner (for example, by discharge, furlough, detached service or entering hospital) after the ration return has been rendered the rations which had been drawn for him in advance for the period which he is absent remain in the possession of the command, and the government is entitled to have a deduction made on the next return of the number of rations thus remaining. If more than one man leaves the sum of all the rations left behind by those leaving shall be deducted.

For example, if the period for which the last return made was from January 1st to January 10th and the men shown below left during that period the total number of rations to be deducted from the return for January 11th to January 20th would be 60.

Detachment, 5 men on detached service, Jan. 2... ..	45 rations to Jan. 10.
Corp. X on furlough, Jan. 4.....	7 rations to Jan. 10.
Pvt. Y discharged, Jan. 6.....	5 rations to Jan. 10.
Pvt. Z to hospital, Jan. 8.....	3 rations to Jan. 10.

60

Commanding officers shall see that all proper deductions from their ration returns on account of men leaving are correctly made.

1123. When subsistence is furnished by the United States all articles of the garrison or travel ration due to a company or other commands

shall be retained by the commissary and credit given to the command for the money value of these articles at the current price of the articles; and the commissary shall pay as savings to the organization commanders any excess in value of the stores so retained over those purchased by their commands.

1124. When troops are on duty pursuant to orders of the governor or upon the call of civil authority the commissary shall give credit to a command at the rate of forty cents per ration; for patients in hospital at the rate of fifty cents per ration, and pay as savings any excess in value of such amount over the stores purchased by the command.

1125. The commanding officer shall designate the periods for which ration returns are to be submitted. Immediately upon the receipt of a ration return at the commissary, duly signed and approved, the commissary shall enter it together with the actual cost of the ration as computed or the credit as provided above on the back of the ration and savings account. The stores required shall be purchased from the commissary on charge sale slips, in the name of the organization against their credit shown on the account. Whenever necessary the organization commander shall settle the account at the commissary. When subsistence is furnished by the United States the savings due the organization or the amount due the commissary as the case may be shall be paid and the account certified as required. When on duty pursuant to orders of the governor or upon the call of civil authority the amount due the commissary shall be paid and the savings due the organization shall be certified by the commissary to the adjutant-general of the state or the county treasurer for payment.

1126. All articles of the ration required for the supply of troops shall be obtained to the extent that they are in stock from the commissary, except that if any organization uses during the month more of any article of the ration than is authorized by Regulations such excess need not necessarily be bought from the commissary, and if any article be not in stock, a temporary supply may be purchased elsewhere.

Issues.

1127. In the state service the purchasing commissary of subsistence shall obtain such articles and component parts of the ration and extra articles for issue or sale as are directed by his commanding officer and shall make no purchase except by like authority.

1128. Canned roast beef should be used not oftener than two days in ten and only when vegetables can be provided and cooking facilities are available.

1129. Corned beef, roast beef and corned beef hash shall ordinarily be purchased in two pound net weight cans and issued as such. When emergencies require the purchases of trade packages (No. 2 can) of these articles such cans shall be issued as twenty-four ounces. Trade

packages of other ration articles being of varying weight their contents shall be estimated as follows in making issues:

Fish, salmon, No. 1 can.....	16 ounces
Baking powder, No. 1½ can.....	8 "
Beans, baked, No. 1 can.....	10 "
Beans, baked, No. 3 can.....	32 "
Tomatoes, No. 2½ or No. 3 can.....	32 "
Tomatoes, No. 10 can.....	104 "
Jam, No. 2 can.....	25.20 "
Milk, evaporated, family size.....	12 "
" " hotel size	32 "
" " pint can	16 "
" " gallon can	128 "
Lard, No. 5 pail.....	66.56 "
Spices, No. ¼ can.....	4 "
Flavoring extract, 2 ounce bottle.....	2 "
" " 8 ounce bottle.....	8 "

Undrawn chickens shall be issued at 80 per cent. of their invoice weight and undrawn turkeys at 85 per cent.

1130. Issues made by a commissary are abstracted on the abstract of issues. The issues are made on ration returns, which are referred to on the abstract but retained by the commissary. The commanding officer ordering the issues certifies to the correctness of the abstract. When issues are made, issue slips are prepared by the issuing commissary in duplicate, showing articles and quantities drawn. One copy, receipted by the officer drawing the stores (or the person authorized by him to receive and receipt for the supplies), is filed by the issuing commissary with his retained papers, the other being given to the receiving officer of the organization. If a company or detachment is detached from a command the commissary shall furnish the officer in charge with a ration certificate showing the date to which the ration account has been settled.

1131. The following is an example of a bill of fare:

Suggested Bill of Fare for Three Days.

1st day.—*Breakfast:* Ham, potatoes, bread and coffee.

Dinner: Irish stew (mutton), bread, coffee.

Supper: Cold ham, prunes, bread, tea or coffee, and cheese.

2nd day.—*Breakfast:* Corn meal mush, syrup, bacon, bread, coffee.

Dinner: Corned beef and cabbage, potatoes, bread, coffee.

Supper: Cold corned beef, canned peaches, bread, tea or coffee.

3rd day.—*Breakfast:* Corned beef hash, bread, coffee.

Dinner: Beef, potatoes, onions, bread, coffee.

Supper: Cold beef, canned apples, bread, tea or coffee.

1132. When rations are not furnished by a commissary or when rations obtained from a commissary are found by a surveying officer to be deteriorated, lost, or destroyed, so that those for whom they were

procured were insufficiently subsisted and money is expended from the company fund for necessary subsistence, the company fund may be reimbursed by the adjutant-general of the state for the amount so expended upon a full statement of the facts of the case.

1133. Perishable rations, especially fresh meats, shall be inspected by a medical officer of the regiment or command to which they are to be furnished before issue to subdivisions.

1134. When cooked meals are furnished they shall be inspected when practicable by a medical officer before they are accepted and served.

1135. When subsistence supplies are found to be unfit for issue, the accountable officer shall immediately report the fact to his commanding officer and request the action of a surveying officer.

1136. After rations leave the commissary they are in the keeping of the troops, and any loss sustained is theirs.

Savings.

1137. To obtain the savings made by an organization when not paid by the commissary its commanding officer shall submit a voucher Form 108. In the body of the voucher is written "for savings on subsistence (character of duty), pursuant to (such order), from (date) to (date)." The date and amount as shown by each issue slip shall be entered, and the amount of savings. The voucher shall be certified by the issuing commissary.

1138. The money value of the savings of the ration shall be paid to the commanding officer of the organization making the savings. In the case of a hospital the savings shall be paid to the medical officer in charge of the hospital. Money so received shall be expended solely for the benefit of the organization. An officer who receives such money shall account for it to his immediate commanding officer on or before the 31st day of December next succeeding and annually thereafter.

Commutation of Rations.

1139. When on duty with troops general officers and the officers on duty at their headquarters are authorized to commute subsistence at forty cents per day. The subsistence of enlisted men and civilian employees on duty at the headquarters of a general officer may also be commuted at the same rate provided rations cannot readily be furnished. Such commutation shall be furnished upon the written order of the general officer at whose headquarters the same is required, stating the necessity therefor.

1140. Subsistence, including lodging, may be commuted by officers and enlisted men who are on duty by order of the governor or under his authority, but not with troops nor at their home station, at the rate of six dollars and three dollars per day, respectively, provided they have not been furnished with quarters and subsistence in kind.

1141. An officer designated shall submit a voucher for the commutation provided for in section 1139. Such voucher shall show the names of the officers, enlisted men and civilian employees, the authority for the detail or employment, number of days and the total amount for each person and the aggregate. A copy of the order mentioned in section

1139 shall be attached to the voucher, which shall be sent to the general officer for his action and transmittal to the adjutant-general of the state.

Accounting for Subsistence Supplies.

1142. Subsistence supplies, like all other public property, shall be accounted for. Subsistence property shall be accounted for in the same manner as other property by the accountable officer.

1143. Subsistence stores (purchased and issued) shall be accounted for by the accountable commissary officer within ten days after the completion of the tour of duty on Form 32.

Miscellaneous.

1144. If cooked meals are furnished by contract or obtained by purchase, Form 109 shall be used. Three cooked meals constitute one ration. Cooked meals shall not be obtained unless absolutely necessary; the cost shall not exceed fifty cents per meal.

1145. A return for rock salt or vinegar for animals when necessary for the public service shall be made by the officer in charge of the animals. The commanding officer shall determine the quantities to be called for, not to exceed eight-tenths of an ounce of salt and one-tenth of a gill of vinegar for each animal per day. The part of the ration numbered 7 is used as a return or requisition and reproduced on the reverse side of the retained stub.

1146. Transportation for subsistence supplies shall be furnished by the quartermaster of the organization which is to receive them, if provided with the means; otherwise by the quartermaster of the commanding officer of the issuing commissary.

ARTICLE LVI.

ACCOUNTS, VOUCHERS, ABSTRACTS AND RECEIPTS.

1155. No officer of the militia, except as provided in M. L. 22, shall incur any expense whatsoever to be paid by the state without first obtaining the authority of the governor. To obtain this authority the officer shall make application to the adjutant-general of the state.

1156. The words "extreme emergencies" used in M. L. 22 shall be construed to mean that a commanding officer in such case is authorized to purchase, provide or arrange for services and materials that are immediately necessary to provide for the care and relief of the personnel or the protection of the property of his command; a report of such action containing a statement of the services and materials purchased, provided or arranged for and the price thereof, shall be made forthwith to the adjutant-general of the state.

1157. A copy properly officialed of each order entailing or involving expense payable by the state shall be forwarded to the adjutant-general of the state immediately on its issue by the officer who issued it.

1158. All accounts payable from appropriations must be forwarded in ample time to allow of their audit and payment before September 30th when the fiscal year of the state ends.

1159. Unexpended balances of appropriations lapse at the end of two years from the date on which such appropriations became laws, and an account which is not paid before the appropriation from which it is payable is exhausted or lapses, cannot be satisfied without special legislation.

1160. Accounts shall be expressed in terms of dollars and cents; when fractions of less than one-half cent occur in the extension or footing of an account they shall be disregarded; if the fraction be one-half or more it shall be reckoned as a cent.

Vouchers.

1161. A voucher shall set forth the name of the creditor preferring the claim; the authority for the expenditure, if an order its number, source and date, and in detail the particulars thereof to insure the audit and payment of an account; such account must be authorized by law, but its history in full in every detail and respect shall be shown upon the voucher. The requirements prescribed in the Military Law, other statutes, the Regulations and orders shall be complied with strictly and to the letter.

1162. A voucher shall be certified by the officer named as creditor; in other cases by an officer familiar with the transaction. Such certificate shall set forth that the services were rendered and materials furnished as stated and that they were necessary for the public service. The voucher shall be receipted by the creditor in advance of payment and verified (see section 1178) as required by the state finance law.

1163. The blank form provided by the adjutant-general of the state shall be used, if practicable, by all persons who have occasion to present an account for payment. Bills made out on ordinary bill-head forms may be accepted if the particulars required by section 1161 and the certificate required by section 1162 are placed thereon. Bills on scraps of paper are inadmissible as vouchers or sub-vouchers.

1164. Should the creditor present a bill or account on the ordinary bill-head containing numerous items such bill or account may be pasted on or attached to the voucher below the statement containing the particulars required by section 1161.

General Vouchers.

1165. Where reimbursement for expenditures is sought the items shall be set out in the voucher and supported by sub-vouchers and to the usual certificate shall be added the words "and that I have actually paid the items above stated in the amounts above set forth."

For Services, Expenses and Incidentals.

1166. An officer or enlisted man on duty by order of the governor, or by his authority, is entitled, when not on duty with troops, to his necessary traveling and other expenses and subsistence (provided he has not received transportation and subsistence in kind) and to pay for

the time actually employed. Such officer or enlisted man shall present his account on Form 36 for traveling and other expenses, subsistence and pay.

1167. The pay allowed by law is defined in M. L. 210. Transportation over the shortest usually traveled route by railroad, boat or other common carrier, transfer of baggage, and for officers, cab or carriage hire, are allowed.

1168. An officer who makes disbursements for telephone or messenger service, telegrams, postage, expressage, carriage, horse hire, or other incidental expenses shall make claim for reimbursement of such expenditures in the voucher containing his account for pay, subsistence and transportation. Sub-vouchers shall be obtained whenever practicable and submitted with the voucher. The passenger's check for sleeping and parlor car accommodations shall accompany the voucher.

1169. A voucher for each specific duty shall be made as soon as practicable after the duty has been completed. Only one copy of a voucher, the original, shall contain signed certificates, approvals, and receipts. As many copies, in memorandum form, duly authenticated, may be made as administrative requirements demand. The officer performing the duty shall submit his voucher to the officer by whose order he was detailed by name for the duty for action and transmittal direct to the adjutant-general of the state.

The president of a court or board consisting of more than one officer shall forward at the same time all the vouchers of the members of such court or board with a letter of transmittal enumerating them.

1170. When urgent public duty has compelled travel, without authority previously obtained, the case shall be immediately reported to the governor, whose approval in subsequent orders shall be accepted as though previously issued.

1171. A voucher for service shall set forth:

1. The name and grade or office and organization of the person making the claim.
2. The nature of the duty performed, source and number of order directing the performance of the duty.
3. The date or dates on which a journey has been made.
4. The details of the journey, namely from such place to such place; railroad, parlor or sleeping-car fare; steamboat and stateroom fare; carriage or cab-hire; cost of baggage transfer, and in like manner of the return trip; total.
5. Pay; number of years' service; dates for which pay is claimed; number of days; pay per day; total pay. (Part of a day treated as a full day.)
6. Subsistence; dates for which subsistence is claimed; total number of days; rate per day; total. (Part of a day treated as a full day.)
7. Incidental expenses (see section 1168).
8. Signature to certificate, name, grade or office and organization of the person making the claim.
9. Signature to receipt of the person making the claim.
10. Action as provided in section 1169.

1172. The following is an example of a voucher for service showing the method to be followed in making it; the numbers refer to the text in the preceding section:

THE STATE OF NEW YORK,
OFFICE OF THE ADJUTANT-GENERAL,
(1) To Lieut.-Colonel John A. Doe, 1st Infantry, N. G., N. Y., Dr.
ALBANY, March 20, 1910.

Date.	(2) As member of a general court martial, S. O. 17 D. 1910:	Dollars.	Cents
1910.			
(3) March 1	Railroad, \$3.10 and parlor car, 75c.; fare from Albany to New York city (4)	\$3	85
	Baggage at Albany, 35c.; baggage at New York city, 50c.; cab in New York city, \$1.25 (4)	2	10
(3) " 16	Railroad, \$3.10 and parlor car, 75c.; fare from New York city to Albany (4)	3	85
	Baggage in New York city, 50c.; cab in New York city, \$1.25; baggage in Albany, 35c. (4)	2	10
(5) " 1 to 16	Pay, grade of lieutenant-colonel, ten years service, sixteen days, at \$11.66 (5)	186	56
(6) " 1 to 16	Subsistence, sixteen days, at \$6 (6)	96	00
(7) " 9	Telegram to president of court		75
(7) " 15	Postage		56
(7) " 16	Expressage on record of court to C. O. Div. sub-voucher No. 1		50
(7) " 10	Horse hire, one day, to attend examination of locality, sub-voucher No. 2	5	00
	(10) Approved: RICHARD A. ROE, Colonel 1st Infantry N. G., N. Y. President of Gen. C. M.	\$301	27

I certify that the above account is correct and just, that the services were rendered and materials furnished as stated, and that they were necessary for the public service and that I have actually paid the items above stated in the amounts above set forth.

(8) JOHN A. DOE,
Lieut.-Colonel 1st Infantry, N. G., N. Y.

DISBURSEMENT RECEIPT.

Received from the treasurer of the State of New York three hundred and one dollars and twenty-seven cents in full of the above account.
\$301.27 (9) JOHN A. DOE.

For Purchases.

1173. A purchase of supplies or engagement of services shall be made:

a. By contract, "reduced to writing and signed by the contracting parties with their names at the end thereof." Agreements of this character only are termed "contracts" in these Regulations. This method, subject to such exceptions as may be authorized by the governor, shall be used when delivery or performance does not immediately follow an award or bargain.

b. By written proposal and written acceptance. This method may be resorted to when delivery or performance immediately follows award or bargain or when specifically authorized by the governor.

c. By oral agreement. This method may be used under circumstances indicated in section 1174 if delivery or performance immediately follow the agreement.

1174. An open-market purchase of supplies or engagement of services is one made without advertising, and is authorized in the following cases:

a. In an extreme emergency, as when the public exigencies require immediate delivery or performance and there is no time to advertise by newspapers, posters, or circulars.

b. When it is impracticable to secure competition.

c. When proposals have been invited and none have been received.

d. When proposals are above the market price or otherwise unreasonable.

e. When exceptional articles of subsistence supplies are purchased.

f. When the aggregate amount of supplies or services to be procured is \$100 or less.

g. When authorized by the governor.

1175. The purchase of supplies and the procurement of services in open market shall be made in the manner common among business men, but every such purchase exceeding \$100 shall be reported immediately to the adjutant-general of the state.

1176. A voucher containing an account for property purchased shall set forth the necessity and authority therefor; the articles and quantities, the cost of each article and the total cost. A voucher for labor or services shall show by whom they were furnished or rendered, by whose order and for what purpose they were required, the dates when furnished or rendered, pay per day and total amount.

1177. A voucher for purchases, labor or services shall show in brief the mode of engagement, i. e.:

a. Method of or absence of advertising.

b. Form of agreement.

The authority for making a purchase, hiring labor or engaging a service, a statement of the object and the necessity for the same shall be stated in each voucher. When purchases are made, labor hired, or services engaged under an accepted bid after public notice, a copy of the notice, the accepted bid and a copy of the letter accepting the bid shall be filed with the voucher and a reference made thereto on subsequent vouchers for purchases made, labor and services performed under the accepted bid. No reference shall be made to any agreement not in writing nor to one in writing which has not been transmitted to the proper officer with some voucher.

1178. A voucher for materials, labor or services exceeding fifty dollars in amount shall be accompanied by an affidavit of the claimant taken before any officer authorized to administer oaths and shall be in the following form:

STATE OF NEW YORK, }
 COUNTY OF } ss.:

....., being duly sworn, says that the articles, materials, labor and services charged in the foregoing voucher were actually sold, delivered, rendered and performed to the State of New York at the dates and for the prices therein charged which are fair, just and reasonable charges for the same; that the said voucher is just and true; and that no part of the same has been paid or satisfied.

.....
 (Signature of claimant.)

Sworn to before me, this
 day of, 19

.....
 (Signature and title of officer administering oath.)

1179. When the payment of an account is to be made from funds derived from the United States, the provisions of the army regulations and the organized militia regulations shall be complied with.

Horsehire.

1180. Each officer and enlisted man ordered for duty, for which duty he is entitled to pay under the M. L., and to perform which he is required to be mounted, is also entitled to be paid a reasonable compensation per day for each horse actually used by him, except when the state furnishes the horse. Officers of the coast artillery corps when performing duty at sea coast fortifications shall not be entitled to such compensation.

1181. This compensation, when it is to be paid by the state, is fixed for riding horses at the actual cost incurred not exceeding \$5 per horse on a duty of one day, at not to exceed \$3 per day on a duty of more than one day, and for draft horses at not to exceed \$3 per day.

1182. The officers in active service hereinafter designated are required to be mounted; officers of the staff corps and departments (except in infantry organizations to which more than four officers of the medical corps are attached, only the four senior medical officers so attached are required to be mounted), officers of cavalry, officers of field artillery, authorized aids, regimental and battalion staff officers, all officers above the grade of captain whatever their arm or corps, chaplains.

1183. Officers not ordinarily required to be mounted may be placed, for not exceeding three months, upon duty that shall require them to be mounted by the commanding officer of the division with the approval of the governor. The order in each case shall state that the duty therein assigned to the officer requires him to be mounted.

When an officer is placed on duty under this section the necessary horse equipments shall be issued to him from state property on requisition approved by the officer under whom he is to serve and such equipments shall be returned immediately on the termination of his detail.

Such an officer shall not be entitled to an allowance as a mounted officer under M. L. 215.

1184. An officer who receives compensation for a horse used by him shall be deemed thereby to waive the additional pay allowed to officers of the United States army who provide their own mounts.

1185. When riding or draft animals are hired for the equipment of a command the quartermaster or other officer designated by the commanding officer shall execute a contract for the same in triplicate on Form 110. One copy of the contract shall be forwarded to the adjutant-general of the state, one copy shall be given to the contractor and one copy shall be retained.

1186. The voucher on which a claim of this nature is preferred shall set forth the name of the officer, enlisted man, organization or person or firm making the claim; why and under what orders and on what duty the horse or horses were needed; date or dates when they were used; the physical condition of each animal at the beginning and ending of such service; number of horses, so many days, so much per day per horse, total of claim. It shall be certified to by the officer under whose immediate control the horses were used; received by the claimant and approved by the officer who ordered the mounted duty.

For Uniform Allowance.

1187. Only such officers shall be entitled to allowances as mounted officers under M. L. 215 as are specified in section 1182.

1188. To be entitled to the uniform allowance an officer shall have performed at least 80 per cent of all ordered duty during the period for which claim is made. In computing the percentage of ordered duty performed by an officer all ordered duty of the command to which he is attached shall be included as well as all special duties for which he is detailed or required by his office to perform, but duty performed during a week by subdivisions of a command, shall not be considered ordered duty, for a field or staff officer of the command, unless he is ordered by the commanding officer to perform duty during the same week. No deductions shall be made for absence from such ordered or special duties whether with or without leave or on account of sickness.

1189. The status of an officer at the end of the calendar year or on his leaving the service shall determine his allowance as a mounted or dismounted officer.

1190. A separate voucher on Form 37 shall be made for the officers of each company, the field and staff officers on duty with a regiment or separate battalion and for general officers and the officers serving with them; except that medical officers not serving with general officers shall be placed on a separate voucher for each regiment, field hospital, ambulance company, company of signal corps, battery of field artillery, separate troop, squadron or separate battalion of infantry. The names of all officers shall appear on the appropriate vouchers whether entitled to an allowance or not. In the latter case the voucher shall state why they are not entitled to claim the same. The signature of each officer on the voucher for the uniform allowance receipting for the allowance

shall be in addition a certificate that the officer is uniformed and equipped as required by Regulations.

1191. Each voucher requires a certificate that the officers named thereon are fully uniformed and equipped and have complied with the other requirements of the M. L.

This certificate shall be made by a general officer for himself and the officers serving with him; by the commanding officer of a regiment, separate battalion, company of signal corps, field hospital, ambulance company, separate troop or separate battery of field artillery for himself and the officers serving therewith.

1192. Officers making the certificate shall forward the vouchers direct to the adjutant-general of the state on December 31st or as soon as practicable thereafter.

1193. An officer who is discharged, dismissed, retired or rendered supernumerary shall within sixty days thereafter forward his voucher for the amount of allowance due him to the officer authorized to certify the same.

1194. When an officer dies his commanding officer who is authorized to certify to his voucher shall cause the same to be duly prepared and certified in conformity with section 1191 and shall forward the same.

Headquarters Allowances.

1195. Allowances for headquarters under M. L. 218 will be paid upon vouchers of the commanding officer for any purpose for which the military fund may be expended as specified in section 1213. Such vouchers shall be presented quarterly on the last days of December, March, June and September.

1196. The headquarters allowance shall be kept on deposit by the officer receiving it in a bank of deposit separate from all other funds to the credit of the commanding officer under his official title.

1197. On the 15th day of November in each year each officer receiving a headquarters' allowance shall forward to the adjutant-general of the state an account which shall show the balance to his credit, if any, per last account together with all moneys received during the fiscal year ending September 30th with the dates thereof; under debit it shall show the amount expended in sufficient detail to enable the adjutant-general of the state to determine the propriety of each item of expenditure; and the balance remaining at the end of the year. It shall also show in what bank the money is deposited.

Military Fund.

1198. To obtain the allowance authorized by M. L. 216, the commanding officer of a command entitled thereto shall render to the adjutant-general of the state on or before December 31st in each year a consolidated return of attendance on Form 38 of five of the compulsory drills or parades of the year.

1199. The commanding officer of a regiment or battalion composed of separate companies shall make this return for the enlisted men

of the non-commissioned staff, the band and detachment of hospital corps serving with the regiment or battalion and their allowances shall be credited to the regiment or battalion.

1200. The commanding officer shall take the attendance at the annual inspection and muster, if such has taken place, as one of the five compulsory drills or parades. He may select any other drills or duty performed in the course of the year provided it has been performed in the same week by the enlisted men of each subdivision for which the allowance is claimed.

1201. If camp or field service is selected the average attendance shall be taken as the figure of attendance, fractions of one-half or more being considered as a whole.

1202. This return shall be forwarded direct to the brigade or division commander who shall examine it and if found in accordance with the records at his headquarters shall certify to its correctness and forward it direct to the adjutant-general of the state.

1203. The military fund shall be expended upon the approval and audit of an auditing board constituted as provided in M. L. 217. Where a quorum of qualified officers cannot otherwise be obtained the commanding officer may apply to his immediate commanding officer for details of officers authorized by that section.

1204. All officers who receive moneys paid for the use of an armory shall immediately deposit the same as provided in M. L. 192-e and on the day of deposit make report thereof to the adjutant-general of the state and to the officer in charge and control of the armory.

1205. An auditing board is convened by the commanding officer of the organization and it will sit as frequently as may be necessary to act promptly on claims. The junior member of the board acts as recorder.

1206. The presence of two of the qualified members of an auditing board is sufficient to constitute a quorum and authorize the transaction of business.

1207. The commanding officer shall present to the board the claims to be acted on, in duplicate, correctly made out in detail so as to explain the whole transaction, receipted, certified by an officer, and approved by the commanding officer. The board shall carefully examine the claims, allow those which are correct, to an amount not exceeding the balance on hand. It shall reject every claim which is not properly authorized or presented.

1208. One copy of each voucher allowed shall be filed with the records of the proceedings.

1209. At the conclusion of each meeting the recorder shall prepare and forward a report of the proceedings, Form 39, in duplicate with one set of vouchers only to the general officer authorized to approve the same by M. L. 217 for his action who, if he approves, shall forward the report and vouchers direct to the adjutant-general of the state.

1210. The adjutant-general of the state shall inform the president of the auditing board of the action taken on its report through the general officer who approved the same. Upon receipt of this notice the commanding officer shall cause an order to be drawn upon the proper

county official in favor of each creditor named in the report for the approved amount of his claim, and signed by the officers who were present at the meeting of the board. The recorder shall enter in the record book of the board the action of the adjutant-general of the state and that the orders have been issued.

1211. The proceedings of an auditing board shall be entered in a record book and shall show the date and place of meeting, officers present and absent, balance of fund remaining at close of last meeting, amounts received since and from what source and total on hand. This shall be followed by an enumeration of the claims allowed, showing names of creditors, purpose of expenditure, amount of each claim, total of claims allowed and balance of the fund remaining on hand.

1212. The order of an auditing board on the treasurer of a county is not furnished by the state but the following is prescribed:

HEADQUARTERS *FIRST INFANTRY*, N. G., N. Y.,

1 *First Avenue*, Albany, Jan. 1, 1911.

Treasurer of *Albany County*, Albany, N. Y., is hereby directed to pay to *John A. Doe* or order out of the military fund of this command five hundred dollars (\$500) being for the account audited and allowed by the auditing board.

RICHARD A. ROE,

Colonel, 1st Infantry.

President.

HENRY A. STOE,

Lieut.-Col., 1st Infantry.

THOMAS A. LOE,

Major, 1st Infantry.

Recorder.

Auditing
Board.

1213. The military fund of a command may be expended for the following purposes:

a. For purchase, repair, alteration, fitting, cleaning, making and preservation of all articles of public property issued by the state or authorized by Regulations or orders, except distinctive uniforms.

b. For the purchase and repair of tools and utensils, supplies and instruments not furnished by the state and necessarily required for use for military purposes in the field or armory.

c. For repair and improvement of indoor and outdoor rifle ranges; for material for making ammunition for military purposes; for pay of markers and scorers at indoor and outdoor small arms practice; for transportation to and from and subsistence at outdoor rifle ranges, including troops and armory employees.

d. For the transportation of troops; for the transportation and subsistence of officers and enlisted men traveling in the interest of their command including the authorized delegates to the national guard association of the state and annual dues to such association,

and of officers and enlisted men ordered to appear before examining boards or for instruction; and for subsistence of troops on ordered duty when rations are not furnished. The expenses of members of examining boards for non-commissioned officers by the company or companies in whose interest they travel, and of persons to be examined for commissions or promotion in the medical corps by the company or companies at the post where they are to be assigned to duty.

e. For athletic and gymnastic apparatus and equipment and instruction and for hiring bands for military purposes, but not for the compensation of members of enlisted bands except a reasonable compensation to chief musicians who devote a considerable part of their time to the instruction of men of the band, nor for the compensation of any musician except a reasonable compensation to an instructor thereof.

f. For office furniture; military printing, no item to exceed fifty dollars; military books, pamphlets and papers; periodicals and newspapers; stationery, postage, telegrams, telephone and messenger service for military purposes; services of military clerks provided they are not commissioned officers; expressage, freight and cartage on military property.

g. For the purchase of gunners' badges and of decorations and insignia indicating qualifications in armory small arms, and in artillery practice, for faithful service, for excellence in drill and special duties.

h. By mounted organizations for horse hire, for mounted drills and parades, and for stabling, feeding and shoeing of horses in the service of the state, from the allowance provided for these purposes in M. L. 216, not exceeding the rates prescribed in section 1181.

i. By organizations not mounted, horse hire for mounted officers, for drills and parades, not exceeding the rates prescribed in section 1181.

j. No payment from the military fund shall be allowed for uniform, arms or equipment of commissioned officers.

1214. If it should be desired to pay other accounts from the military fund authority to incur the expense shall first be obtained from the adjutant-general of the state; the request, for such authority shall go direct to the general officer authorized to approve the reports of the auditing board of the organization who shall forward it direct to the adjutant-general of the state with his action, and after the consent or refusal of the latter it shall be returned the same way as received.

1215. Correspondence between the adjutant-general of the state and officers in relation to reports and vouchers of auditing boards shall pass through the channel prescribed for such reports.

For Horseshire, Feed and Shoeing.

1216. The fund allowed under M. L. 216 for mounted drills and parades and for the feed and shoeing of horses shall be kept separate from other allowances, and separate records and reports thereof made and forwarded covering only claims payable from that fund.

Pay Rolls.

1217. Pay rolls shall be prepared for pay due officers and enlisted men for services under M. L. 113, 115 or 116 and they shall be paid at the termination of the service or as soon thereafter as practicable, unless such service shall exceed one month, in which case payment shall be made monthly.

1218. Except as provided in sections 1224 and 1225 and in orders pay rolls in quadruplicate are required, three copies for the paymaster and one to be retained. When practicable names, grades and dates of entry into service shall be entered and the receipts of all persons named in the pay roll obtained before the duty begins. Other necessary entries shall be made daily during the duty.

1219. A separate pay roll shall be made for each general officer and staff, each field, staff and non-commissioned staff, each company and each detachment of the medical department. There shall be entered on each pay roll the name of each officer and enlisted man of the command or subdivision, or attached thereto under proper authority and of the civilian cooks authorized by the Military Law and the authority shall also be shown by an appropriate note on the pay roll.

1220. The words in section 210 of the Military Law, "every day actually on duty," shall be construed to mean that an officer or enlisted man is actually on duty and entitled to pay for each day on which he has under M. L. 113, 115 or 116.

a. Reported at the post at which he is serving and until relieved by orders.

b. Started from his home station and until his return thereto, provided that if he does not travel with his command the time consumed in travel to or from his command is authorized or approved.

c. Been absent in the performance of special duty pertaining to the command if authorized by competent authority.

1221. Authorized civilian employees when on duty under M. L. 113, 115 or 116, shall be paid as follows:

Clerks, not to exceed three dollars per day, grooms not to exceed two dollars per day, cooks at the rates prescribed in M. L. 210, and teamsters at the rates prescribed by the adjutant-general of the state. Servants are not paid by the state.

Pay shall not be allowed for any acting non-commissioned officer in excess of the number of non-commissioned officers allowed by law or orders for the grade and subdivision.

1222. The pay roll shall be sent in daily with the morning report for comparison and verification, and for its verification the officer approving the pay roll shall be responsible.

1223. The officer executing the affidavit on the pay roll is responsible to the state and to each person named therein for its correctness when presented to the paymaster as to the names and grades of persons, dates of entry into service, length of service, dates and days for which pay is due, remarks affecting pay, and required signatures. The paymaster shall enter on the pay roll the rates of pay and make the calculations and shall be responsible that each person receives the pay authorized by law as shown by the pay roll.

1224. When troops participate with the regular army in coast defense exercises or maneuver camps two sets of rolls are required. One set in duplicate, on forms furnished by the war department, for pay from the United States and one set in triplicate on form furnished by the state for the difference between army and state rates. A certified copy of the army pay roll showing the actual payment to each officer and man by the United States, shall be forwarded to the adjutant-general of the state with the state pay rolls.

1225. In case an organization is to receive pay for duty in aid of the civil authority pay rolls in duplicate shall be made.

1226. If payment be made by checks, the paymaster may deliver the checks to the commanding officer of the organization or subdivision, provided the pay rolls are properly sworn to, in which case the commanding officer shall deliver the checks to the payees as promptly as practicable. If payment be made in currency the officer who executes the affidavit on the pay roll shall attend at the pay table and witness the payment of his men.

1227. On a pay roll containing statements of fines and forfeitures to be deducted there shall be a certificate by the officer approving the same containing the grades, names and addresses of the officers authorized to collect and receive such fines and forfeitures. No fines or forfeitures shall be deducted unless such certificate is executed and appears on the pay roll as herein prescribed.

The officer or officers designated in the certificate to collect and receive such fines and forfeitures shall receipt for the same to the officer making payment.

Expenses of Delinquency Court.

1228. Vouchers for the compensation and expenses incidental to delinquency courts as authorized by M. L. 213 shall be prepared and certified by the president of the court and transmitted to the officer appointing the court for his approval and their payment under that section.

1229. The president of a delinquency court shall promptly make payments of dues and fines collected in conformity with M. L. 138 and 142 and shall make report of amounts paid to county treasurers on the date of payment to the adjutant-general of the state and to the commanding officer of the organization, detachment or corps of which the person paying the fine is a member or to which he is detailed or attached.

Expenses of Bond.

1230. Where an officer who is not required by statute to furnish a bond for the faithful performance of his duties is charged with the disbursement of public moneys the governor may require him to furnish a bond for the faithful discharge of his duties in this particular and the premium or charge therefor shall be borne and paid by the state.

ARTICLE LVII.

DELINQUENCY RETURNS.

Officers.

1235. The commanding officer of the division and the commanding officers of brigades, regiments, battalions not part of a regiment, and of companies not part of a regiment or battalion shall make returns on Form 50 to the adjutant-general of the state on the 15th day of May and November in each year, and oftener if deemed necessary, of officers who have been absent without excuse from any duty ordered by competent authority.

Enlisted Men.

1236. Commanding officers of companies shall make a return of delinquencies and of offenses triable by a delinquency court to next superior headquarters within five days after each drill, parade or other duty or in the discretion of the officer authorized to appoint the court such return shall be made once in each month on the last day thereof.

1237. Delinquencies and offenses triable before a delinquency court shall not be allowed to accumulate but shall be returned promptly as prescribed and shall be promptly tried and disposed of.

1238. Returns for the collection of fines for offenses against by-laws and unpaid dues of the civil association shall be made on Form 50, to a delinquency court, giving dates, offenses and amounts.

1239. When the delinquency is an absence from duty the names of only those enlisted men absent without leave shall be placed on the return.

1240. Returns of delinquencies and offenses triable by a delinquency court shall be forwarded to the officer authorized to order the court, who shall examine them and determine whether the accused shall be tried by the delinquency court or some other military court.

1241. The delinquency return must contain the name, grade and organization of the accused, the dates of the offenses, and if the offense is other than an absence from drill, the charge in the words of M. L. 137 and a succinct statement of the facts constituting the offense. For example "Wilfully Injuring Equipments, to wit, by cutting and mutilating one field belt the property of the State of New York." and "Disobedience of orders, having been ordered by Captain J. A. C. to report to Lieutenant C. F. G. Officer of the Guard at the Armory of his command did wilfully disobey said order."

ARTICLE LVIII.

CLAIMS FOR PAY AND CARE FOR TEMPORARY DISABILITY.

1245. There is no prescribed form of giving notice of intention to make a claim under M. L. 223. It shall be in writing addressed to the adjutant-general of the state and shall specify the date of receiving the injury or contracting the disease or disability upon which the claim is to be made.

1246. The claim itself shall be presented to the claimant's immediate commanding officer promptly upon the cessation of claimant's incapacity to attend to his usual business or occupation and in any event at the expiration of ninety days from the date of receiving the injury or contracting the disease or disability. It shall contain a clear and concise statement of the facts as to the cause of the disability, its nature and extent with details of the amounts claimed for pay and as expenses for care and medical attendance, accompanied with vouchers for expenditures.

1247. The commanding officer shall forward with the claim a copy of the order under which claimant was performing duty, transcripts of the entries from the morning report, sick report and hospital and prescription book relating to the claim and in cases of injuries the names of witnesses with his comments and remarks on the claim.

1248. The commanding officer of the regiment or battalion shall on receipt of the claim forward it with his comments and remarks to the adjutant-general of the state.

1249. A board appointed under M. L. 223 shall carefully inquire into and by its findings pass upon and determine the following points: (a) the date when the disease was incurred or the disability contracted by claimant; (b) whether at that time he was in the military service of the state and if so in what office or position; (c) whether at that time he was performing lawfully ordered duty, specifying the same; (d) whether the disease or injury was incurred in the line of duty; (e) whether the disease or injury was incurred without fault or neglect on his part; (f) whether he was by such disease or disability temporarily incapacitated from pursuing his usual business or occupation, specifying the same; (g) between what dates, stating them, he was so incapacitated; (h) the amount due claimant for pay and the amount of his actual and necessary expenses for care and medical attendance during the period of his incapacity, but not exceeding ninety days from the date of receiving the injury or incurring the disease.

ARTICLE LIX.

ARREST AND CONFINEMENT.

1255. An arrest is the suspension of the military functions of a person in the military service, but does not debar an officer from his voting franchise. (See M. L., 75.)

1256. Only commanding officers have power to place officers in arrest, except as provided in the 24th article of war and in section 1258. An arrest may be ordered by the commanding officer in person or through a staff officer orally or in writing.

1257. When on duty under M. L., 113, 115 or 116 an officer arrested shall repair at once to his tent or quarters and there remain until more extended limits have been granted by the commanding officer. Except to attend his trial, an officer in arrest shall not enter a post unless he has obtained permission from the commanding officer or been ordered to do so. Close confinement shall not be enforced except in cases of a serious nature.

1258. An officer of the day is empowered to place in arrest a superior as well as an inferior for any disorder or violation of the orders of the camp or post of which the officer of the day, is for the time, the chief executive officer, he being subject only to the orders of the commanding officer whom he represents. In placing an officer in arrest he may, instead of ordering him to his quarters, require him to report to the commanding officer.

1259. An officer in arrest is disqualified from exercising any military authority and shall not wear a sabre nor visit officially his commanding or other superior officer unless directed to do so. His applications and requests of every nature shall be made in writing.

1260. Officers shall not be placed in arrest for light offenses. For these, the censure of the commanding officer will generally answer the purpose of discipline. Whenever a commanding officer places an officer in arrest and releases him without preferring charges he shall make a written report of his action to the commanding officer of the division, stating the cause. The commanding officer of the division, if he thinks the occasion requires, shall call on the officer arrested for any explanation he may desire to make and take such other action as he may think necessary.

1261. A commanding officer may, in his discretion, determine not to place an officer or enlisted man in arrest before bringing him to trial, but may continue him on duty after charges have been preferred and served, and up to the time of the trial, but such officer or enlisted man shall be considered in arrest during the time of trial, and until the promulgation of the findings of the court.

1262. An officer is not exempt from arrest by reason of his being at the time a member of a general court-martial; but the arrest of an officer, while on a court-martial, should be avoided, except in extreme cases.

An officer who has been placed in arrest, has no right to demand a trial by general court-martial.

1263. When on duty under M. L., 113, 115 or 116 any officer may arrest or order the arrest of enlisted men.

Non-commissioned officers shall not be confined at the guardhouse in company with privates, except in aggravated cases or where escape is feared, but shall be placed in arrest in their barracks or quarters.

All other enlisted men shall be turned over to the guard.

At all other times an enlisted man may be confined in any part of an armory for a period not exceeding midnight of the day of his arrest. Except to attend his trial an enlisted man in arrest shall not enter a post unless he has obtained permission from the commanding officer, to do so.

1264. When on duty under M. L., 113, 115 or 116, first sergeants may be authorized by their immediate commanding officers to confine private soldiers. At the discretion of commanding officers they may be empowered to arrest or confine non-commissioned officers, but only in cases of a serious nature. In general, only officers have authority to arrest or confine non-commissioned officers.

1265. When it becomes necessary to use force in making an arrest, officers or non-commissioned officers shall direct subordinates, if such be present or within call, to perform that duty.

1266. Except as provided in the 24th article of war, or when restraint is necessary, no soldier shall be confined without the order of an officer, who shall previously inquire into his offense.

1267. The arrest of an officer or non-commissioned officer and the arrest or confinement of a soldier shall be reported to his immediate commanding officer as soon as practicable by the officer authorizing the arrest or confinement.

1268. Private soldiers shall not be placed in confinement if their offenses are of such a light nature that censure by their commanding officer is sufficient. Extra tours of guard duty shall not be given as a punishment.

1269. Prisoners awaiting trial by, or undergoing sentence of, general court-martial and those confined for serious offenses shall, if practicable, be kept apart from those confined by sentence of an inferior court, or for minor offenses. Enlisted men awaiting trial or awaiting result of trial shall not be sent to work with garrison prisoners or military convicts if it can be avoided, and may, in the discretion of the commanding officer, be required to attend drills, or sent to work under charge of a sentinel, during the usual working hours. Military convicts shall not be confined with other prisoners except in cases of necessity.

1270. All guards shall receive enlisted men turned over to them as prisoners by an officer or by the authority of an officer and they shall be responsible for the safe-keeping of the prisoners thus turned over to them.

1271. Prisoners placed under guard, with written charges, signed by an officer, shall not be released, except by direction of the commanding officer.

1272. Soldiers against whom charges may be preferred for trial by summary court shall not be confined in the guardhouse, but shall be placed in arrest in quarters, before and during trial and while awaiting sentence, except when in particular cases restraint may be necessary.

1273. If there are any prisoners with no record of charges against them, the old officer of the day shall report that fact to the commanding officer, who shall give the necessary instructions.

1274. On the march, field and staff officers and non-commissioned staff officers in arrest shall follow in the rear of their respective regiments; company officers and non-commissioned officers in arrest, in the rear of their respective companies, unless otherwise specially directed.

ARTICLE LX.

MILITARY COURTS.

General Provisions.

1280. Chaplains, though eligible, shall not sit on courts.

1281. The order appointing a court-martial shall name its members in order of rank and they shall sit according to rank as announced.

The convening authority may detail new members and relieve acting members. The place of holding a court shall be designated in the order appointing it.

1282. A court reduced below a quorum may meet and adjourn from time to time until a quorum appear or the court is dissolved. Immediate report of the fact shall be made by the judge advocate to the convening authority. If the trial has not been entered upon new members may be added but if any testimony has been taken the court shall be dissolved and a new one ordered.

1283. A court shall proceed with diligence in the trial of a case before it. It may adjourn from time to time during or after a trial or while deliberating on its findings or sentence.

1284. The order convening a military court should show, on its face, that the officer issuing it is by law authorized to do so. An order appointing a court of inquiry, general court-martial or delinquency court for the trial of officers, when not issued by the governor, should recite that it is issued by his direction.

1285. In order that all cases referred to a court-martial may be tried by it, the order convening the court should read—"for the trial of A. B., and such other persons as may be properly brought before it," or "for the trial of such persons as may be properly brought before it."

1286. Whenever the same court-martial tries more than one person on separate and distinct charges, the court shall be sworn at the commencement of each trial and separate proceedings prepared in each case.

1287. The president of a military court, besides his duties and privileges as a member, is the organ of the court to maintain order and conduct its business. He speaks and acts for the court in every instance where a rule of action has been prescribed by law, Regulations or its own resolutions.

1288. An officer authorized to appoint a court-martial is authorized to appoint a judge advocate for the same. The judge advocate is not a member of the court, but is specially assigned to duty with the court in the order appointing it. He may be relieved or replaced by the authority appointing the court, even during a trial, and this proceeding may be repeated if necessary.

1289. The judge advocate is the medium of communication between the court and the officer appointing it.

1290. Unless authority to employ a stenographic reporter is given in the order appointing a court, the judge advocate or recorder shall promptly apply to the convening officer for such authority and secure the services of a competent person before the date for the assembling of the court.

1291. Where a court sits in closed session, the judge advocate shall withdraw, and when legal advice or assistance is required, it shall be obtained in open court.

1292. When a member is prevented from attending a session of the court he shall communicate the cause to the judge advocate, so that the same may be entered in the record of proceedings. If he fails to do so

it shall be the duty of the president at the next meeting of the court to call upon him for such explanation as he may desire to make.

1293. A member stationed at the place where a military court sits is liable for duty with his command during adjournment of the court from time to time.

1294. The members of a general court-martial shall wear dress uniform with sabre unless impracticable, in which case such uniform shall be worn as may be authorized by the president of the court. The judge advocate and the accused shall wear the same uniform as the court, without side arms. Military witnesses shall wear the same uniform as the court, with side arms, and the officer issuing a subpoena to such a witness shall notify him of the uniform to be worn.

General Courts-Martial.

1295. The accused shall be arraigned before a court-martial on one or more charges and specifications. If there be several charges they shall be prepared as one paper, numbered consecutively, signed by the officer preferring them and forwarded to the officer authorized to order a court.

1296. The charge is a designation of the specific military offense committed by the accused. Each distinct offense shall form a separate charge. The word "charges" is also used in a general sense to include any number of charges technically speaking with the specifications thereunder.

1297. The specification is a statement of facts which in law constitute the offense charged. It should be drawn in concise and unequivocal language, and state the name, rank, office and organization of the accused, and the time and place of the alleged offense with certainty, so far at least, as to say, "at or near" such a place, "on or about" such a day. If the offense has been committed more than once or in more than one way, there should be distinct specifications. Each specification should be complete in itself and not refer for facts or particulars to other specifications. The specifications under each charge shall be numbered consecutively.

1298. Charges and specifications shall be prepared in duplicate.

1299. Charges can only be preferred by an officer. Enlisted men may make complaints and furnish facts on which charges may be based.

1300. Charges should not be preferred unless there is reason to believe that an offense has been committed and that it can be proved. Before forwarding charges they shall be carefully investigated by the commanding officer, or an officer designated by him, other than the officer preferring the charges, and in forwarding the charges the name of the officer making the investigation shall be noted in the commanding officer's indorsement. The commanding officer shall state in his indorsement whether or not, in his opinion, the charges can be sustained, and shall transmit a brief statement of the evidence expected from each witness signed by such witness together with a statement of any other available evidence.

1301. Commanding officers are not required to bring every dereliction of duty before a court for trial, but shall endeavor to prevent their

recurrence by admonitions, withholding of privileges, and taking such steps as may be necessary to enforce their orders.

1302. After charges have been preferred, they may be altered and amended by the convening authority or he may cause new charges to be prepared. The judge advocate may ordinarily correct obvious mistakes of form, or slight errors in names, dates, amounts, and the like, but he should not, without the authority of the convening officer, make substantial amendments in the allegations, or, least of all, reject or withdraw a charge or specification, or enter a *nolle prosequi* as to the same, or substitute a new and distinct charge for one transmitted to him for trial. Nor can a court in its discretion and upon its own motion strike out a charge or specification or authorize or direct the judge advocate to take such action.

1303. The practice of delaying charges or allowing them to accumulate is unjust.

1304. Accused persons shall not be joined in the same charge, nor tried on joint charges, unless for concert of action in an offense. To warrant the joining of several persons in the same charge, the offense must be such as requires for its commission a combination and must have been committed in concert, in pursuance of a common intent.

1305. A court-martial has no power to punish its members; but for disorderly conduct a member is liable as for other offenses against military discipline. Improper words used by him should be taken down in writing, and any disorderly conduct reported to the appointing authority.

Challenges.

1306. Members of courts-martial may be challenged by an accused, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time.

1307. The grounds of objection of the accused to every member challenged shall be entered on the record.

1308. The statement of the challenged member should always be taken, as it may aid the court in considering the challenge.

1309. The challenged member shall retire when the court is cleared to consider the challenge against him.

1310. The proper time for making challenges is immediately after the order convening the court is read, but if subsequently, during the trial, grounds of objection come to the knowledge of the accused, an opportunity for challenge should be afforded him.

1311. A member excused by reason of a challenge from one case is not excused from sitting in other cases. New members may be challenged whenever they take their seats.

1312. The judge advocate cannot be challenged. In case of personal interest in the trial he should apply to the convening authority to be relieved. He has the right to challenge, but it is seldom exercised.

1313. If three members, constituting a majority of the court, be present and one be challenged, the remaining two have the right to determine the challenge. If the challenge is allowed, the court cannot proceed with the trial of the case until another member attends.

Oaths.

1314. The following is the oath to be taken by members of courts martial: "You, A. B., do swear that you will faithfully try and determine, according to evidence, the matter before you, between the people of the state of New York, and the prisoner to be tried, and that you will duly administer justice according to the established rules of law for the government of the military forces of the state; and you do further swear that you will not divulge the sentence of the court until it shall be published by the proper authority, except to the judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in due course of law. So help you God."

1315. The following is the oath to be taken by a judge advocate: "You, A. B., do swear that you will faithfully discharge the duties of judge advocate of this court, according to the established rules of law for the government of the military forces of the state; and you do further swear that you will not disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in due course of law, nor divulge the sentence of the court to any but the proper authority until it shall be duly disclosed by the same. So help you God."

1316. Witnesses, before testifying, shall take the following oath: "You swear that the evidence you shall give in the case now on hearing shall be the truth, the whole truth and nothing but the truth. So help you God."

1317. In an examination on the *voir dire*, the oath to be administered is as follows: "You swear that you will true answers make to questions touching your competency as a member of the court (or witness) in this case. So help you God."

1318. The following oath shall be taken by a reporter or stenographer: "You swear that you will faithfully perform the duties of a reporter to this court. So help you God."

1319. An interpreter shall take the following oath: "You swear that you will truly interpret in the case now on hearing. So help you God."

1320. A member, judge advocate or other person, required to be sworn may, if he object to taking an oath, make affirmation as follows: "You, A. B., do solemnly, sincerely and truly declare and affirm that," continuing with the prescribed form of oath.

Pleadings.

1321. When the accused, from obstinacy or deliberate design, stands mute or answers foreign to the purpose, the court may direct a plea of not guilty to be entered and may proceed to trial and judgment as if he had so pleaded.

1322. The accused may demur to a specification or plead guilty or not guilty to each charge and specification, or plead guilty to a specification excepting certain words and of such words not guilty.

1323. Instead of pleading to the general issue the accused may interpose a special plea either to the jurisdiction, in abatement or in bar of trial, or he may make either of these special pleas to any specification, presenting reasons why he should not be tried on it. The burden of substantiating such pleas rests on the accused. Both sides should be heard and the proceedings under the plea should be recorded. If the plea in bar of trial is found valid, the court shall report its decision to the convening authority and await further instructions; if by the special plea an issue is made the court is empowered to sustain or over-rule the plea; when a special plea is made and over-ruled the accused shall be required to plead to the general issue.

Trial.

1324. When the court is ready to proceed, the members take seats at a table provided for their use; the president sits at the head of the table and the other members at his right and left alternately, according to rank. The judge advocate sits at the foot of the table or at a separate table; the accused and his counsel at a table provided for them and placed in a convenient position. A witness, when testifying, is seated near the judge advocate, and the reporter at a table placed near the witness chair.

1325. At the hour named the president calls the court to order and the judge advocate calls the names of the members, noting the absentees.

1326. Whenever the proceedings of the court are stopped from any cause, the facts are reported without delay to the convening authority.

1327. If the completion of a case be delayed from any cause, the court may proceed to the trial of other cases, complete them, and then take up the adjourned case.

1328. A court may adjourn or await the attendance of members not present, but has no power to excuse their absence or that of the judge advocate. If the judge advocate is absent the court shall take no further proceedings, but may adjourn or await his attendance.

1329. During the reading of the order convening the court and the arraignment, the judge advocate and the accused shall stand; while the court and the judge advocate are being sworn, all stand; when a reporter, an interpreter, or a witness is being sworn, he and the judge advocate shall stand; and when the judge advocate, the accused, or his counsel addresses the court, he shall rise.

1330. After the names have been called an examination shall be made of the order convening the court to see if it is legally convened and of the charges to determine jurisdiction.

1331. The accused then comes before the open court and the judge advocate reads to him the order convening it, and asks if he has any objection to being tried by any member present named in the order.

1332. If the accused is not present at the convening of the court, or at the time or place appointed for his trial the court may proceed with the trial in his absence, provided the judge advocate first submits to the court, to be duly noted in or attached to its proceedings, written

or oral evidence that the accused has been notified of the time when, and place where, his trial would be proceeded with.

1333. Before the challenges, if any, are proceeded with, the judge advocate shall ask the accused if he desires to introduce counsel. The accused is entitled to be heard through counsel as of right at any stage of the proceedings.

1334. After the challenges, if any, have been made and determined the members of the court, the judge advocate and the reporter are sworn.

1335. Oral arguments by counsel for the accused and the judge advocate on points raised during the trial should be taken down on the record. Final arguments and statements shall be submitted in writing or made orally and entered on the record, as the court may direct.

1336. If before the accused is arraigned a postponement is necessary application therefor should properly be made to the convening authority. The court may during the trial for reasonable cause grant a continuance to either party for such time and as often as may appear to be just.

1337. Application for extended delay or postponement of a trial shall, when practicable, be made to the authority appointing the court. When made to the court, if, in the opinion of the court, it is well founded, it shall be referred to the convening authority to decide whether the court shall be adjourned or dissolved.

1338. Upon application by the accused for postponement of the trial, because of the absence of a witness, it should distinctly appear on his oath: (a) that the witness is material and why; (b) that the accused has used due diligence to procure his attendance; (c) that the accused has reasonable grounds to believe and does believe that he will be able to procure such attendance within a reasonable time stated.

1339. The record shall show that the court was organized as the law requires, that the prisoner was asked if he had any objection to being tried by any member present named in the order, and his answer to such question, and that the members of the court and the judge advocate were duly sworn.

1340. The swearing of the court is followed by the arraignment of the accused. The judge advocate reads the charges and specifications to the accused, and addresses him as follows: "You have heard the charge and specification preferred against you; how say you to the specification, guilty or not guilty? How say you to the charge?"

1341. If there be more than one charge or specification, the arraignment is in the following order: To each specification of the first charge separately in its numerical order, then to the first charge and in the same manner on each charge and the specification under it.

1342. Upon arraignment, the accused should plead or make such motions as may be proper.

1343. A plea of guilty does not necessarily exclude evidence. A full knowledge of the circumstances attending the offense is essential to the court in measuring the punishment, and to the convening authority in acting on the sentence. It is, therefore, proper for the court

to take evidence after a plea of guilty, except when the specification is so descriptive as to disclose all the circumstances of mitigation or aggravation.

In all cases after a plea of guilty, the accused shall be permitted to offer evidence in mitigation of the offense charged.

When testimony is heard after a plea of "guilty," the witnesses may be cross-examined, evidence may be produced to rebut their testimony, evidence as to character may be offered, and the court may be addressed in extenuation of the offense or in mitigation of punishment.

When the accused pleads "guilty" and, without any evidence being introduced, makes a statement inconsistent with his plea, the statement and plea shall be considered together, and if guilt is not conclusively admitted, the court shall direct the entry of a plea of "not guilty," and proceed to try the case on the general issue thus made.

1344. Witnesses are usually examined apart from each other, no witness being allowed to be present during the examination of another who is called before him. But this rule is not inflexible; it is subject to the discretion of the court, nor is it so rigidly observed as to exclude the testimony of a person who has been present at the examination of other witnesses.

1345. If no objection be made to the witness, or if his competency be established on objection made, he is sworn, and his testimony is taken and recorded in the words used in the form of question and answer.

1346. The direct examination is followed by the cross-examination and by redirect examination and recross-examination as permitted by the court.

1347. Any member of the court may put questions to the witnesses on either side. Such questions are ordinarily postponed until the judge advocate and accused have finished examining the witness.

1348. If a question put by a member is objected to by another member, the judge advocate, or the accused, and the objection is sustained, it shall be recorded as a question by a member, and not answered. If the objection is not sustained it shall be recorded as a question by the court, repeated by the judge advocate, and must be answered. If a question is objected to by anyone, at any time during the trial, this method of recording the action of the court shall be followed.

1349. All the members of the court must be present during the examination of each witness; should one be absent he ceases to be a member of the court in that case.

1350. A tie vote on an objection or motion is a vote in the negative and the objection or motion is not sustained.

1351. The reading of previous proceedings and of testimony for approval shall be dispensed with, unless for special reason considered necessary by the court, or a witness desires to have testimony read for correction. Corrections of his testimony made by a witness are entered as a continuation of his evidence without changing his previous record.

1352. All the evidence against the accused should be produced before the prosecution rests. The evidence for the accused is then introduced, and the prosecution may offer evidence in rebuttal. The court may, in its discretion and in furtherance of justice, depart from this order of proof and permit witnesses to be called and recalled at any stage, and may reopen a case closed on one or both sides. In all such cases any testimony thus received is subject to cross-examination and rebuttal by the party to whom it is adverse.

1353. The examination of witnesses shall take place in the presence of the accused unless he purposely absent himself.

1354. After the taking of testimony is concluded the accused has the right to make a written or oral statement or argument, and the judge advocate has the right of reply or he may submit the case without remark. The statement of the accused should not be sworn to, and if sworn to should not be received as evidence by the court.

1355. Incidents of the trial, bearing upon the case, may be remarked upon by the court and recorded, such as the conduct of the officer preferring the charges, the accused or the witnesses where necessary, to fully inform the reviewing officer.

Findings.

1356. When the courtroom has been cleared for deliberation the proceedings are examined by the members, and they exchange freely their opinions and discuss without ceremony. In all deliberations the law secures the equality of members.

1357. The charges and specifications are voted on in the same order in which the accused was required to plead to them. Members vote in the inverse order of their rank, the junior voting first. Voting may be oral or by ballots, collected by the president.

1358. Each member shall vote on every question, and while he may vote to except parts of the specifications, he shall vote either guilty or not guilty of the charge. The court may convict of one or more charges and acquit of the others.

1359. The findings are decided by a majority vote. When the court is equally divided in number, the finding shall be recorded as not guilty.

1360. The court cannot find the accused guilty of an offense in a greater degree than charged. It may find him not guilty of the charge, but guilty of an offense in a less degree than charged, but such offense must be of the same kind as charged, and where proof fails to make out a specific offense charged, but shows a breach of military discipline, the accused may be found not guilty of the charge but guilty of "conduct to the prejudice of good order and military discipline."

Sentence.

1361. The sentence should be clear and capable of but one interpretation, and, if possible, in the words of the statute.

1362. Sentences imposing tours of guard duty are forbidden.

1363. When the majority have made a finding of guilty, the minority must vote punishment as if they had voted with the majority

on the finding; while a member may have voted to acquit, he must, nevertheless, vote a punishment if the court convict.

1364. In voting on a sentence, each member writes a sentence and hands it to the president. If no sentence is thus adopted by the requisite vote, the court, after all the sentences have been read to it by the president, proceeds to vote on them in the order of their severity, commencing with the least severe until the majority agree upon a sentence. The manner of voting is the same as prescribed for voting on findings.

1365. The manner of executing the sentence should be left to the reviewing officer.

1366. Until finally acted on by the reviewing officer, the findings and sentence of the court may be reconsidered and altered.

1367. When the date for the commencement of a term of confinement imposed by sentence of a court-martial is not expressly fixed by the sentence, the term of confinement begins on the date of the order promulgating it. The sentence is continuous until the term expires, except when the person sentenced is absent without authority.

1368. The order promulgating the proceedings of a court and the action of the reviewing authority shall, when practicable, be of the same date. When this is not practicable, the order will give the date of the action of the reviewing authority as the date of the beginning of the sentence. This does not apply to sentences of forfeiture of all pay and allowances. A soldier awaiting result of trial shall not be paid before the result is known.

1369. A sentence to confinement, with or without forfeiture of pay, cannot become operative prior to the date of confirmation. If it be proper to take into consideration the length of confinement to which the prisoner has been subjected previous to such confirmation, it may be done by mitigation of sentence.

1370. When soldiers awaiting result of trial or undergoing sentence commit offenses for which they are tried, the second sentence will be executed upon the expiration of the first.

1371. A sentence adjudging a dishonorable discharge, to take effect at such period during a term of confinement as may be designated by the reviewing authority, is illegal.

Record of Proceedings.

1372. In the record of the proceedings of a court-martial at its organization for the trial of a case, the officers detailed as members and judge advocate shall be noted by names as present or absent. In the record of the proceedings of subsequent sessions, the following form of words shall be used, subject to such modifications as the facts may require: "Present, all the members of the court and the judge advocate." When the absence of an officer who has not qualified or who has been relieved or excused as a member has been accounted for, no further note shall be made of it.

1373. A copy of the notes taken in shorthand or otherwise, of each day's proceedings should be made before the next meeting of the court and constitutes the original proceedings.

1374. Every court-martial shall keep an accurate record of its proceedings. The record in each case shall be complete in itself, and shall contain a copy of the order appointing the court. It shall be authenticated by the signatures of the president and judge advocate, the latter affixing his signature to each day's proceedings. Whenever, by reason of the death or disability of the judge advocate occurring after the court has decided on the sentence, the record cannot be authenticated by his signature, it shall show that it has been formally approved by the court and shall be authenticated by the signature of the president. The record shall show that the court was organized as the law requires, that the prisoner was asked if he wished to object to any member and his answer to such question, and that the members of the court and the judge advocate were duly sworn.

1375. The record shall be clear and legible, and, if practicable, without erasure or interlineation. It shall be written on one side of paper eight inches wide by ten and one-half inches long. Any erasure or interlineation made shall be authenticated by the initials of the president or of the judge advocate. In case the record is typewritten a copyable ribbon shall be used, when practicable.

The pages of the record shall be numbered at the bottom, and margins of one inch shall be left at the top, bottom, and left side of each page.

There shall be an index which shall refer to everything essential to the organization and jurisdiction of the court, the regularity of its proceedings, and to the pages where each witness was sworn and recalled, and the pages where each document was introduced and appended. Where the judge advocate records the findings and sentence by the use of a typewriting machine, he shall certify immediately after the authentication of the record as follows: "I certify that I recorded the findings and sentence of the court., Judge Advocate."

1376. The record of proceedings, findings and sentences, when completed, shall be signed by the president and judge advocate of the court, and transmitted by the latter to the officer having authority to confirm the sentence, who shall state, at the end of the proceedings in each case, his decision and orders therein. The proceedings of each case shall be forwarded promptly as soon as it is completed. The envelope or wrapper inclosing the proceedings in addition to the address shall bear the words, "Proceedings of a court-martial," and shall not be opened except by the officer convening the court, or his successor, or by his orders.

1377. A recommendation to clemency shall not be embraced in the body of the sentence, but shall be attached to the record after the exhibits. Only those members who concur in the recommendation should sign it.

Revision.

1378. When the record of a court-martial exhibits error in preparation, or seemingly erroneous conclusions, the reviewing authority may reconvene the court for a reconsideration of its action, pointing out defects. Should the court concur in the views submitted, it shall pro-

ced by amendment to correct its error, and may modify or completely change its findings. A reopening of the case, by calling or recalling witnesses, is illegal.

The accused is entitled to notice of the revision and to appear and be heard with counsel when it affects any plea or objection or action taken by him during the trial, but not in any other case.

1379. The court cannot be compelled to change its findings or sentence. If the court return a new finding or sentence, the proceedings may be sent back again for revision, but if the court adhere to its former findings or sentence at either revision, they must be approved or disapproved.

Courts of Inquiry.

1380. Except as otherwise specifically prescribed, the record of the proceedings of a court of inquiry shall be prepared, and process issued and oaths administered, in substantial conformity to the rules governing and forms used in general courts-martial in like instances. The president of a court of inquiry discharges relatively the same function as the president of a general court-martial.

1381. The statute of limitations does not apply to courts of inquiry.

1382. The president of a court of inquiry shall administer to the members the following oath: "You do swear that you will well and truly examine and inquire according to the evidence into the matter now before you, without partiality, favor, affection, prejudice or hope of reward. So help you God."

1383. The president of the court shall then administer the following oath to the recorder: "You do swear that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing. So help you God."

1384. The president shall then be sworn as a member by one of the sworn members.

1385. A judge advocate detailed with a court of inquiry is not a member thereof, but acts as recorder.

1386. A new member may be appointed and take his seat at any time after the court has been organized. The testimony previously taken shall be read over to or by him.

1387. The officer or soldier to be investigated has the same right of challenging and the same right to counsel as is allowed in trials by general courts-martial.

Garrison Courts-Martial.

1388. Whenever a garrison court-martial is appointed to try cases excepted from the jurisdiction of a summary court the order of appointment shall state the facts which bring the cases to be tried within such exceptions.

1389. In the A. W. relating to garrison courts-martial the words "other place" shall be construed to include any locality where the command may be, whether in garrison or in the field, and the words "different corps" are satisfied if there be on duty as part of the command a single officer or enlisted man of some arm or part of the

military establishment other than that of which the main body is composed.

1390. The complete proceedings of garrison courts-martial shall be transmitted without delay by the approving officer to the adjutant-general of the state for filing.

1391. Non-commissioned officers above the rank of corporal shall not, if they object thereto, be brought to trial before a garrison court-martial without the authority of the officer competent to order their trial by general courts-martial.

1392. The form of record for a garrison court-martial differs from that for a general court-martial only in respect to the form of the order appointing the court. The forms of process and mandates are the same for both courts. The testimony taken need not be reduced to writing.

Summary Courts.

1393. The summary court is composed of one officer, designated by the commanding officer of a garrison, fort, or other place, regiment or corps, detached battalion or company, or other detachment, for such place or command, or for each battalion of a command. When more than one officer is present with a command, the commanding officer shall not designate himself as a summary court. But the summary court may be appointed and the officer designated by superior authority when by him deemed desirable.

1394. When but one commissioned officer is present with a command, he is a summary court and finally determines the cases tried by him. In such case no order appointing the court shall be issued, but the officer shall enter on the record that he is the "only officer present with the command," and no approval of the sentence is required but he should sign the sentence as such officer and date his signature. In all other cases the sentences must, before they can be executed, be approved by the officer appointing the court or the officer commanding for the time being.

1395. An accused has no right to object to trial by summary court except that a non-commissioned officer may object thereto in which event he shall not be brought to trial before such court without the authority of the officer competent to order his trial by general court-martial, but shall, in such cases, be brought to trial before a garrison or general court-martial as the case may be.

1396. When the trial officer is the accuser it is not required that the case shall be tried by another court.

1397. Post non-commissioned staff officers and sergeants, first class hospital corps, shall not be reduced but they may be dishonorably discharged whenever reduction is included in the limit of punishment.

1398. Summary courts are subject to the restrictions of A. W. 83 and shall not adjudge confinement and forfeiture in excess of a period of one month unless the accused shall before trial consent in writing to trial by said court, but in any case of refusal to so consent the trial may be had either by general, or garrison court-martial, or by said summary court, but in case of trial by said summary court with-

out consent as aforesaid, the court shall not adjudge confinement or forfeiture of pay for more than one month.

For those offenses for which a limit of punishment has been prescribed by the order of the president of the United States a summary court is restricted to the kinds of punishment named, except as to the substitutions in the settled ratio given in such order.

1399. A sentence of a summary court imposing confinement should be "for days but not exceeding the tour of duty of". In the last blank should be inserted the title of the organization or detachment with which the prisoner is serving.

1400. The summary court has jurisdiction over all enlisted men subject to the right of non-commissioned officers to object thereto as provided in section 1395.

1401. The jurisdiction of a summary court is not affected by the time when cases are brought before it, the requirement as to time being directory only. The commanding officer, and not the court, will determine when and what cases will be brought before it. Delay in the trial of an enlisted man does not invalidate the proceedings, but may be considered by the court in awarding sentence.

1402. Before referring to summary courts charges for which the maximum limit of punishment that may be awarded is greater than one month's forfeiture and confinement, commanding officers shall cause the accused to sign a statement on the original charges as to whether or not he consents to trial by summary court and this statement with the charges becomes a part of the court record. A note of this statement in each case shall also be entered on the record of the summary court and on the reports of trials by such court.

1403. Charges submitted for trial by a summary court shall be accompanied by the certified copies of previous convictions on file with the company records, and these copies shall be returned to the company records immediately after trial. If this evidence is not submitted, the summary court may take judicial notice of any such evidence which that record contains.

1404. Charges preferred for offenses cognizable by inferior courts shall be laid before the proper commander who if he thinks that the accused should be tried by a summary court shall cause him to be brought before such court.

1405. An enlisted man brought before a summary court shall be arraigned and allowed to plead according to prevailing court-martial practice. If the accused (being a non-commissioned officer) does not object to trial by the court nor plead guilty, witnesses shall be sworn and evidence received, the accused being permitted to testify in his own behalf and make a statement; but the evidence and statement shall not be recorded.

1406. The summary court as soon as a trial is concluded shall record its findings and sentence in the summary court record and submit it to the officer appointing the court, who shall record therein his approval or disapproval, in part or in whole, with date and signature. Should the only officer present with the command sit as summary court, the findings and sentence shall be recorded in like manner. No

other record of the proceedings will be kept, and such trials shall not be published in orders. Post commanders shall furnish company and other commanders with copies of the summary court record relating to men of their commands, said copies to be certified to be true copies by the post commander or adjutant.

1407. The summary court shall be opened at a stated hour every day except Sunday for the trial of such cases as may properly be brought before it. Trials will be had on Sunday only when the exigencies of the service make it necessary.

1408. Whenever, in determining on its sentence, a summary court shall take into consideration previous convictions, a note of the number of such previous convictions shall be made on the summary court record.

1409. When a sentence imposes forfeiture of pay or of a stated portion thereof such forfeiture shall be for a stated number of days but not to exceed thirty days unless the accused shall before trial have consented in writing to trial by such court when it may adjudge forfeiture of pay for not exceeding ninety days. When a sentence imposes forfeiture of pay or of a stated portion thereof for a certain number of days, it stops for each of those days the amount stated, thus "one dollar of daily pay for eight days" would be a stoppage of eight dollars. When the sentence is silent as to the date of commencement of forfeiture of pay, the forfeiture shall begin with the period for which pay has accrued since last payment. A forfeiture not limited by the sentence to any particular day or days or other space of time, but expressed simply as a forfeiture of so many days' pay, or of a certain amount of pay, is legally chargeable against the pay due and payable at the next payment, and the balance, if any, against pay accruing thereafter, until the forfeiture is fully satisfied, but the rate of forfeiture shall be the rate of pay the enlisted man is entitled to receive at the date of the promulgation of the sentence.

1410. An order remitting a forfeiture of pay operates only on the pay to become due on and after the date of the order.

Delinquency Courts.

1411. Before entering on his duties, each member of a delinquency court shall take the following oath of office before an officer authorized to administer it, under M. L. 139, and then transmit the same to the officer appointing him:

I, *JOHN A. DOE*, do swear that I will well and truly try and determine, according to evidence, all matters between the people of the state of New York and any person or persons who shall come before the delinquency court for *the 1st Infantry, N. G., N. Y.* to which I am appointed by S. O. 2, 1 *Inf., 1910.*

JOHN A. DOE.

Sworn to before me, this 2d
day of *January, 1910.*

RICHARD A. ROE,
Colonel, 1st Infantry.

The record of the court shall show that the oath has been taken and filed.

1412. Witnesses shall be examined on oath or affirmation, to be administered in the form and manner prescribed for courts-martial.

1413. The record of the proceedings with the return of delinquents shall be transmitted by the court to the reviewing officer promptly on the expiration of the time to appeal, and if an appeal is taken the record in that case shall be so transmitted forthwith. (M. L. 141.)

1414. Orders changing the detail for a delinquency court shall be entered in the proceedings of the court, with a statement showing that the new member duly took the oath of office.

1415. The court shall notify the commanding officers of companies when cases from their commands are to be tried so as to afford them an opportunity to be present at the trials if they so desire.

1416. The delinquents are called before the court one after the other. Their statements are heard and evidence, oral and documentary, received if necessary. The court considers the evidence, and if practicable decides the case immediately and notifies the delinquent orally of its decision. Delinquents not on trial and witnesses not under examination may be excluded by the court from the place where it is sitting.

1417. Regarding the collection of fines and dues under the by-laws of companies, delinquency courts shall give due consideration to the following:

a. There is no authority given to delinquency courts by the M. L. to enforce payment of "assessments" levied by an association under its by-laws.

b. By-laws of a civil association composed of field, staff and line officers can have effect only over the members of the association which adopted them, and this association cannot adopt by-laws that will be binding or obligatory upon any company or other association.

1418. Each delinquency court shall keep a carefully prepared record of its proceedings, as it is a continuous court. This can be done in a book or books provided for the purpose, or in blanks which should be bound together as completed. The record should show the name, grade and organization of the accused; the charge, as "absence without leave from drills;" "disobedience of orders;" "neglecting to take proper care of arms;" "wilfully injuring equipments;" a brief statement showing the nature of the offense and the date of its commission; the finding on each delinquency; the fine stated separately as to each offense, and the appearance or failure to appear of the accused. The payment of a fine or the service of a notice of appeal should be noted with the date of payment or service, as should the fact and date of notification of the sentence to the accused. In case of an appeal the reviewing officer will note his action on the record with the date thereof and his signature. The following is furnished as an example of such a record.

PROCEEDINGS OF A DELINQUENCY COURT

Convened at the armory of (1) 1st Infantry, N. G., N. Y., pursuant to (2) G. O. 1, 1 Inf. 1910

(3) January 3d, 1910.

The court met pursuant to the above order, present (4) Captain....., who stated that he had duly taken the oath of office as a member of this court, and that a copy of such oath is filed at the headquarters of the (5) 1st Infantry, N. G., N. Y.

The court then proceeded to the consideration of the cases of the members of the (6) 1st Infantry, N. G., N. Y., brought before it.

Number.	NAME. (7) (Christian name last.)	Grade.	Date and nature of delinquency.	Finding of	Fines.		Notation of findings, date and manner.	Date of payment.	Date of appeal.	Remarks (8)
					Dols.	Cts.				
1	Doe, John A.....	Private..	Absent without leave from drill November 8, 1909.....	Guilty.....	5	00	Jan. 3 Mail.....	Jan. 5.....	.....	Appeared. Paid fine to court.
:	.....	.....	Wilfully injuring his rifle December 15, 1909.....	Not guilty..	.....	.....	.....	.....	.....	.....
:	.....	.....	Disobedience of order of Lieutenant Stoe to report to 1st Sergeant, December 18, 1909	Guilty.....	5	00	.....	.....	Jan. 5.....	.....
:	Roe, Richard A.....	.....	.....	.....	10	00	.....	.....	.....	.....
:
:
:
:

(9)..... N. G. N. Y. Delinquency Court.
 (1) Organization; (2) special, if such; (3) date; (4) grade and name and organization of court; (5) battalion, regiment, brigade; (6) organization of delinquents; (7) names in full; (8) as, "paid fine to court," "failed to appear"; (9) signature; (10) grade and organization.

1419. A notice of an appeal is not restricted as to form. It should identify the sentence or part of the sentence appealed from and should preferably be in this form:

To the President of the Delinquency Court for the 1st Infantry, N. G., N. Y.:

Sir.—Take notice that I hereby appeal to the reviewing officer of said court from (so much of) the sentence imposed on me at the

session held the 10th day of January, 1910 (as fined me for disobedience of orders December 2, 1909).

HENRY A. STOE,

Private, Co. A.

1420. When the work of the court is completed, all papers relating to the session are folded, briefed, securely fastened together and filed by and with the court.

Forms.

1421. The following forms are prescribed for use by military courts:

Appointment of marshal; Form 111.

Bond of marshal; Form 112.

Notice of trial and summons to appear to answer to charges; Form 113

Summons to appear before a delinquency court; Form 114.

Subpoena to appear to give testimony; Form 115.

Subpoena *duces tecum*: Form 116.

Attachment against witnesses for failure to appear; Form 117.

Warrant for commitment for disorderly conduct; Form 118.

Warrant for collection of fines, dues, and the like. Delinquency court; Form 119.

Warrant for collection of fines and the like; Form 120.

1422. The following is an example of how charges and specifications should be drawn:

Charge and specification preferred against *First Lieutenant John A. Doe, Co. A, 1st Infantry, N. G., N. Y.*

Charge: *Drunkenness on duty.*

Specification: *In this that First Lieutenant John A. Doe, Co. A., 1st Infantry, N. G., N. Y., being on duty as Officer of the Guard was found drunk between the hours of 3 and 6 p. m.*

This at Camp Fort Orange, in the State of New York, on the 2d day of January, 1910.

RICHARD B. ROE,

Captain, 1st Infantry, N. G., N. Y.,

Officer preferring the charge.

Witness:

Captain GEORGE C. LOE, 1st Infantry, N. G., N. Y.

1423. The following is furnished as a form for the record of a general court-martial:

INDEX.	PAGE.
Convening order	1
Organization of court.....	2
Accused (Private, Co. A., 1st Infantry) introduced.	3
Counsel introduced	3
Reporter sworn	3
Convening order read.....	3
Challenge, right accorded.....	3
Court and judge advocate sworn.....	4

400 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Organization of Court — <i>Continued.</i>	PAGE.
Interpreter sworn	4
Continuance (if desired)	4
Adjournment	7, 11
Recess	9
Court reconvened	7
Arraignment	4
Pleas	5

Evidence:

For prosecution:	
Sergeant	5
Prosecution rests	7
For defense:	
Corporal	8
Accused testifies	8
Statement by accused	9
Address by counsel	9
Reply by judge advocate	9
Findings	9
Previous conviction submitted	10
Sentence (or acquittal)	10
Revision of record	12

Proceedings of a general court-martial which convened at,
, pursuant to the following order:

(Here insert a literal copy of the order appointing the court, and following it, copies of any orders modifying the detail.)

Armory, 1st Infantry, N. G., N. Y.

Albany, January 2, 1910.

The court met pursuant to the foregoing order at o'clock
 .. M.

Present:

(Here insert names of those present.)

Absent:

(Here insert names of absent members.)

(If the cause of absence is known, it shall be recorded; if unknown, it shall be so stated.)

(Communications from absent members are read, marked and attached to the record.)

The court then proceeded to the trial of *Private*,
Company A, 1st Infantry, who appeared before the court and stated that he did not desire counsel; (or) introduced
 as counsel.

..... was duly sworn as reporter.

The order convening the court (and the order or orders modifying the detail, if any) was (or were) read to the accused, and he was

asked if he objected to being tried by any member present named therein; to which he replied in the negative, (or) that he objected to on the following grounds (insert objections).

The challenged member stated:

(Insert the statement of the challenged member who shall always be requested to respond to the challenge and inform the court upon its merits. Should the accused after the statement desire to put the challenged member upon his *voir dire*, the record should continue:)

The accused having requested that the challenged member be sworn upon his *voir dire*, was duly sworn by the judge advocate and testified as follows:

The challenged member, the accused, his counsel, the reporter and judge advocate then withdrew, and the court was closed, and on being opened the president announced in their presence that the objection of the accused was not sustained (or) that the objection was sustained. then withdrew.

The accused was asked if he objected to any other member present; to which he replied in the negative (or) that he objected to on the following grounds:

(Insert objection in full and record as before.)

The members of the court and the judge advocate were then duly sworn.

(If an interpreter is required he should now be sworn.)

(If delay is desired for cause known application should now be made and the proceedings of the court recorded. If no delay is requested the record should continue.)

The accused was then arraigned upon the following charges and specifications:

(Here set out charges and specifications.)

To which the accused submitted the following special plea to the jurisdiction (or in abatement, or in bar of trial):

(Insert the action of the court upon the special pleas) (or) to which the accused pleaded as follows:

To the 1st specification, 1st charge, "Guilty;" (or) "Not guilty."

To the 2d specification, 1st charge, "Guilty;" (or) "Not guilty."

To the 1st charge, "Guilty;" (or) "Not guilty."

To the 1st specification, 2d charge, and so continue.

Sergeant Richard A. Roe, Co. A, 1st Infantry, a witness for the prosecution, was duly sworn, and testified as follows:

Direct examination:

Questions by the judge advocate:

Q. Do you know the accused? If so, state who he is.

A. I do; Private, *Co. A, 1st Infantry*.

(The succeeding questions of the judge advocate and their answers should follow in order.)

Cross-examination:

Questions by the accused:

Q.?

A.

(If the accused declines to cross-examine the witness the record should state:)

The accused declined to cross-examine the witness.

Redirect examination:

Questions by the judge advocate:

Q.?

A.

Recross-examination:

Q.?

A.

Examination by the court:

Q.?

A.

(On an objection being made to a question put by a member the record should read:)

Question by a member:

To this question the accused (or party objecting) objected as follows:

(Insert objection.)

To which the member replied:

(Insert reply.)

The accused, his counsel, the reporter, and judge advocate withdrew and the court was closed, and on being opened the president announced in their presence that the objection was sustained (or) was not sustained.

(In the latter case the record should continue.)

The question was then repeated by the judge advocate as a question of the court.

A.

(If the court considers it necessary to hear the testimony of the witness read or the witness desires to have certain testimony read for correction the record will show the fact and the corrections, if any.)

(At the close of the prosecution the record should continue.)

The judge advocate announced that the prosecution here rested.

(If the court adjourns to meet another day the record should continue.)

The court then, at o'clock .. M., adjourned to meet at o'clock .. M., on

(Name)

(Grade and office)

Judge Advocate.

Armory, 1st Infantry, N. G., N. Y.

Albany, January 3, 1910.

The court met pursuant to adjournment, at o'clock .. M.
Present.

All the members of the court and the judge advocate.

The accused, his counsel and the reporter were also present.

(If the proceedings of the previous day are required by the court to be read, the fact will be recorded in the following form:)

The proceedings of were read and approved (or) corrected as follows:

(In latter case, enumerate corrections, giving page and line on which they occur.)

Corporal, Co., infantry, a witness for the defense, was duly sworn and testified as follows:

Direct examination:

Question by the judge advocate: Do you know the accused? If so, state who he is.

A.

Questions by the accused:

Q.?

A.

(The examination should be conducted as in case of a witness for the prosecution, the judge advocate cross-examining, and the accused, if he so desires, re-examining the witness.)

(Should the accused wish to testify in his own behalf, the record will continue:)

The accused, at his own request, was duly sworn as a witness and testified as follows:

Questions by the accused:

Q.?

A.

(The examination of the accused should be conducted in the same manner as that of any other witness.)

(If the accused has no other witness to call, the record should continue:)

The accused had no further testimony to offer and no statement to make; (or) having no further testimony to offer, made the following oral statement in his defense; (or) having no further testimony to offer, submitted a written statement in his defense, which was read to the court and is hereto appended and marked A; (or) requested until o'clock .. M., to prepare his defense.

(If the court takes a recess during the time asked for, the record will continue:)

The court then took a recess until o'clock ..M.; at which hour the members of the court, the judge advocate, the accused, his counsel, and the reporter resumed their seats.

(Or, if the court has other business before it, the record may continue:)

The court then proceeded to other business, and at o'clock .. M. resumed the trial of this case, at which hour the members of the court, the judge advocate, the accused, his counsel and the reporter resumed their seats.

The accused submitted his defense, which was read to the court, and is hereto appended and marked B.

The judge advocate submitted the case without remark (or) replied as follows:

.....

(Insert reply.)

(or) submitted and read to the court a written reply, which is hereto appended and marked C.

The accused, his counsel, the reporter and judge advocate then withdrew and the court was closed, and finds the accused, Private , Co. A, 1st Infantry:

Of the 1st specification, 1st charge: "Guilty;" (or) "Not guilty."

Of the 2d specification, 1st charge: "Guilty, except the words '.....,' and of the excepted words Not guilty."

Of the 1st charge: "Guilty;" (or) "Not guilty;" (or) "Not guilty, but guilty of (stating offense)"

Of the 1st specification, 2d charge, and so continue.

And the court sentences him, Private , Co. A, 1st Infantry N. G., N. Y., to be (or does therefore acquit him, Private , Co. A, 1st Infantry, N. G., N. Y.).

The judge advocate was then recalled, and the court at M. proceeded to other business (or) adjourned until M., the inst. (or) adjourned to meet at the call of the president (or, on completion of the trial of the last case before the court) adjourned *sine die*.

(Signature) ,
Major, Squadron A, Cavalry, President.

(Signature) ,
Major, 1st Infantry, Judge Advocate.

(At least two blank pages shall be left after the adjournment and before the exhibits for the decision and orders of the reviewing authority.)

1424. Form of Record of Revision.

Armory, 1st Infantry, N. G., N. Y.

Albany, January 10, 1910.

The court reconvened at o'clock .. M., pursuant to the following order:

(Insert copy of order.)

(or) pursuant to the following indorsements:

(Insert copies of all indorsements.)

Present.

Absent.

(Insert names of absentees and state cause of absence, if known.)

The judge advocate read to the court the foregoing order (or the foregoing indorsement of the convening authority).

The judge advocate then withdrew and the court was closed and revokes its former findings and sentence, and finds the accused, (stating finding) (or) revokes its former sentence, and sentences the accused (stating sentence) (or) respectfully adheres to its former findings and sentence (or) amends the record by (stating action).

The judge advocate was then recalled and the court at
 ..M.,—(stating action).

(Signature)
Major, Squadron A, Cavalry, President.

(Signature)
Major, 1st Infantry, Judge Advocate.

ARTICLE LXI.

BOARDS.

General Provisions.

1430. The ranking member is president and the junior member acts as recorder. Unless otherwise ordered the board shall meet at the call of the president.

1431. Unless authority to employ a stenographic reporter is given in the order appointing the board, the president shall, if the services of a stenographic reporter are required promptly apply to the appointing officer for such authority.

1432. A board shall keep a record of its proceedings showing dates of meetings, members present and absent and business transacted. This record shall be written on one side of paper eight inches wide by ten and one-half inches long with a margin of one inch on the left of each page. Each day's proceedings shall be authenticated by the signature of the recorder.

1433. So far as practicable a board shall make findings of fact on all matters referred to it for consideration, adding thereto, when authorized or required, an expression of opinion or recommendation. A board shall transmit with its report a record of its proceedings and all documentary or other evidence taken.

1434. Exhibits shall be marked so as to be readily identified, as for example "Exhibit A," "Exhibit B." When documentary evidence consists of a portion of a book or record the portion required may be read into the record by a witness or a copy thereof shall be attested by the recorder and transmitted as an exhibit.

1435. A report shall be authenticated by the signatures of the president and recorder of the board, if a member dissent, the fact and, if he desires, his reasons shall be stated after the conclusion of the report and above the signatures.

Board to Examine Officers before Retirement or Discharge.

1436. Except as otherwise specifically prescribed, the proceedings of a board appointed to examine into the moral character, capacity and general fitness for the service, of any officer (M. L. S3), or to determine the facts as to the nature or cause of incapacity of any officer appearing disabled, or unfit or incompetent (M. L. 82), as well as the form of the record and of process issued and oaths administered, shall conform substantially to the rules governing and form prescribed for general courts-martial under like circumstances. The proceedings of such boards shall be forwarded when completed to the authority ordering the board.

1437. If deemed necessary, a recorder may be detailed to serve with the board, otherwise the junior member thereof acts as its recorder.

1438. The members of such boards are subject to challenge for cause.

1439. The members of the board shall take the following oath, which shall be administered by the president, who in turn shall be sworn by any member to whom he has administered the oath: "You, A. B., do swear that you will honestly and impartially perform your duties as a member of this board in the matter now before you. So help you God."

1440. The recorder shall take the following oath: "You (naming him) do swear that you will, according to your best ability, accurately and impartially record the proceedings of the board and the evidence to be given in the case in hearing. So help you God." When a member of the board acts as recorder, he shall, in addition, be sworn as a member.

1441. An officer ordered to appear before a board appointed under M. L. 82 or M. L. 83 may be represented by counsel during the introduction of documentary evidence and the examination of witnesses including the examination of the officer ordered before the board as to all matters except as to professional knowledge and his physical examination.

1442. When an officer comes before a board under M. L. 83 the medical officers of the board shall make a thorough medical examination of him and a report of the result in writing to the board. They shall be sworn as witnesses and examined as to this report and may be cross-examined by the officer or his counsel.

1443. The statute of limitations does not apply to boards appointed under M. L. 82 or 83.

ARTICLE LXII.

BY-LAWS.

1445. By-laws for approval shall be forwarded in duplicate and each copy shall have a certificate of the commanding officer of the organization that they were adopted at a time and place stated by a vote of two-thirds of all the members of the organization as shown at the end of the example in section 1447.

1446. By-laws shall not prescribe drills nor assume to regulate military duty or matters of military administration nor can fines be imposed for delinquencies with respect thereto.

1447. The following is an example of an approved form of by-laws:

PREAMBLE.

We, the members of Co. A, First Infantry, N. G., N. Y., hereby pursuant to the provisions of the Military Law of the state of New York form ourselves into an association and adopt the following:

BY-LAWS.

ARTICLE I.

Membership and Dues.

§ 1. The qualifications for membership shall be those prescribed in the Military Law and in the Regulations issued thereunder.

§ 2. It shall be the duty of every member:

a. To notify the secretary in writing of any change of residence or place of business within five days thereafter.

b. To attend regular and special meetings of the company and the sessions of the discipline committee when summoned before it.

c. To maintain order and decorum at all meetings of the company and to obey these by-laws.

d. To report to the president without delay the death of a member.

§ 3. Each member shall pay to the treasurer in advance on the first day of each month seventy-five cents as dues to defray the current expenses of the association.

§ 4. No assessments shall be made upon members (except the regimental assessment) without the concurrence of two-thirds of the members present at the meeting at which it is acted on.

ARTICLE II.

Meetings.

§ 1. Regular meetings shall be held at eight o'clock P. M. on the first Monday in each month except the months of June, July, August, September and October. When a legal holiday falls on any meeting day, such meeting shall be held on the following Monday at the same hour. The meeting in January shall be the annual meeting.

§ 2. Special meetings may be called at any time by the president of the association or by a resolution of the company and such meetings shall be called by the president upon a written request from ten members. All members shall be notified by the secretary of the time and place of a special meeting and no business shall be considered thereat except such as is specified in the notice.

§ 3. The order of business at meetings shall be:

Roll call.

Action upon the minutes of previous meetings.

Collection of dues.

Reports of officers and standing committees.

Reports of special committees.

Unfinished business.

New business.

Adjournment.

§ 5. Cushing's Manual shall be the authority for all questions of procedure and debate except as herein otherwise provided.

§ 6. The presence of at least a majority of the members of the association shall be necessary to constitute a quorum at meetings.

ARTICLE III.

Officers and Committees.

§ 1. The commanding officer by virtue of his office shall be president. He shall be a member of every committee ex-officio. In his absence the next in grade shall preside at meetings.

§ 2. There shall be the following additional officers and standing committees: A secretary, a treasurer, a finance committee, a committee on discipline, a recruiting committee and a room committee. Each committee shall consist of three members. The secretary and treasurer and the standing committees shall be elected by ballot at the annual meeting and shall hold office for one year and until their successors are elected.

§ 3. A vacancy in an office or on a standing committee may be filled by election at any subsequent meeting for the unexpired term of the former incumbent.

§ 4. At all elections a majority of the votes cast shall be necessary to elect.

§ 5. The secretary, treasurer and all standing committees shall make written reports to the association at the annual meetings and whenever required by the association.

ARTICLE IV.

President.

§ 1. It shall be the duty of the president to preside at all meetings of the association, enforce a due observance of the by-laws and exercise a general superintendence over the affairs of the association.

ARTICLE V.

Secretary.

§ 1. The secretary shall keep the minutes of the meetings of the association; keep a record of the name, residence, business and business address of each member; notify all standing committees and officers of their election; attend to the service of all notices of special meetings and perform such other duties as may be required of him.

ARTICLE VI.

Treasurer.

§ 1. The treasurer shall collect and receive all moneys due or belonging to the association, keep the same on deposit and make payments therefrom as provided in these by-laws. He shall keep the property of the company insured against loss by fire. He shall bring or in case of intended absence shall send the association's books to every meeting and shall render a financial statement at every regular meeting and perform such other duties as may be required of him by the association.

§ 2. Before entering upon the duties of his office he shall furnish security for the faithful performance of his duties in the form of a bond for \$....., (inserting such amount as shall be sufficient security) with sufficient sureties to be approved as to form, manner of execution and sufficiency of sureties by the finance committee and to be filed with the president.

ARTICLE VII.

Finance Committee.

§ 1. The finance committee shall examine all contracts and all claims presented to the association for payment and shall audit and indorse their approval on such as they shall deem just and reasonable, and no claims shall be paid without such approval indorsed thereon. They shall examine the books of accounts and vouchers of the treasurer at least one week before the annual meeting and make report thereon at that meeting, and they shall make examinations and reports at such other times as they deem necessary and whenever so directed by the association.

ARTICLE VIII.

Discipline Committee.

§ 1. The committee on discipline shall have jurisdiction of and shall try and determine all violations of these by-laws and for each violation may impose a fine not exceeding five dollars in amount and may remit any fine imposed in whole or in part.

§ 2. All returns and statements made to or before this committee shall be on honor and the utmost respect shall be shown the committee and strict secrecy shall be observed as to all its proceedings.

ARTICLE IX.

Recruiting Committee.

§ 1. To further the interests of recruiting, and to aid the commanding officer in ascertaining the qualifications of applicants for membership, he may refer such applications to the recruiting committee and it shall be the duty of that committee to inquire into the qualifications of such applicants and report upon the same as directed by him.

ARTICLE X.

Room Committee.

§ 1. This committee shall have charge of the rooms, furniture and all property belonging to the association. It shall keep a list of such property and keep the same at all times in perfect order and in good repair.

ARTICLE XI.

Funds, Books and Accounts.

§ 1. All funds of the association shall be kept in a separate account in the name of the association in a bank of deposit to be from time to time designated by the finance committee, and checks upon such funds

shall be signed both by the treasurer and the commanding officer of the company.

§ 2. The books and accounts of the association shall at all times be open to the inspection of any official whose duty it is to inspect the organized militia of the state or of any member of the association.

ARTICLE XII.

Notices.

§ 1. All notices required by these by-laws shall be served in the manner provided in M. L. 117 for service of warning for duty and shall be valid and sufficient for all purposes when so served.

ARTICLE XIII.

Expulsion.

§ 1. For violation of these by-laws and in addition to any fines that may be imposed an enlisted man may be expelled by the vote of a majority of the members of the association.

§ 2. A member shall not be expelled unless he has been served with a copy of the charges made against him and a notice requiring him to appear at a regular or special meeting of the association at least six days thereafter and show cause why he should not be expelled.

ARTICLE XIV.

Alteration of By-Laws.

§ 1. These by-laws may be altered or amended by a vote of two-thirds of all the members of the company in the manner provided by law, notice of the substance of the proposed alteration or amendment having been given at a previous regular meeting.

I hereby certify that the foregoing by-laws were adopted by the affirmative vote of two-thirds of all the members of my company at a meeting thereof, held in the armory of the First Infantry, in the city of Albany, on January 2, 1910, and that due notice that the same would be voted upon at that meeting was given at the last regular meeting.

JOHN A. DOE,
Captain, Co. A, First Infantry.

ARTICLE LXIII.

FORMS.

1450. The standard blank forms with the notes and directions thereon are part of and shall have the force and effect of these Regulations. New forms or alterations shall not be made except as prescribed in section 255 M. L. These forms and lists of them will be furnished by the adjutant-general of the state upon requisition made direct by letter giving the quantity of each number required.

Each form furnished by the state shall be prepared and filled out in accordance with instructions printed thereon; and shall be forwarded through the channel unless otherwise provided.

1451. Manuscript returns, rolls, certificates, and other documents are prohibited when the proper printed forms are available.

ARTICLE LXIV.

CIVILIAN EMPLOYEES.

1456. When on duty under M. L. 113, 115 or 116, civilian employees are authorized as follows:

Clerks, headquarters division two, headquarters of a brigade one, headquarters of a regiment one, headquarters of a battalion not part of a regiment or detached therefrom one.

Servants, headquarters division three, headquarters of a brigade three, headquarters of a regiment five, headquarters of a battalion not part of a regiment or detached therefrom two, each company and each detachment of the medical department on duty with a regiment one, and one additional for every four medical officers in excess of four.

Cooks, headquarters division two, headquarters of a brigade one, headquarters of a regiment one, headquarters of a battalion not part of a regiment or detached therefrom one, non-commissioned staff of a regiment one, detachment of hospital corps serving with a regiment one, non-commissioned staff and detachment of hospital corps serving with a battalion not part of a regiment or detached therefrom one.

Grooms, at the rate of one for each five or each fraction of five not less than three horses, at headquarters.

Teamsters of the number it may be necessary to employ.

STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

GENERAL ORDERS, }
No. 49.

ALBANY, December 2, 1910.

Upon the recommendation of the Major-General, commanding Division, National Guard, sections 2 and 116 of the "Regulations for Small Arms Firing, National Guard, N. Y., March 25, 1910," are hereby amended to read as follows:

2. Instructions in small arms practice on the armory range during the drill season will be conducted as prescribed herein. United States Firing Regulations for Small Arms is an authorized text book for field and armory small arms firing and an authority in so far as it does not conflict with these regulations.

116. For commissioned officers and enlisted men armed with the revolver only; with the revolver without rest or support of any kind for the weapon or arm.

1st: At 50 yards, two strings, 5 shots each, minimum qualifying score on each string.....	17
2d: At 75 yards, 5 shots, minimum qualifying score.....	15
Aggregate	49

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *December 16, 1910.*

GENERAL ORDERS, }
No. 50.

I. The inspection of the organized militia of the State for the year 1911, by the officers of the United States Army, in accordance with provisions of section 14 of the Militia Act of 1903, as amended by the Act of Congress, approved May 27, 1908, will be concurrent with the inspections made by officers of this State to be designated or detailed by the Major-General commanding the Division, National Guard.

SCHEDULE OF DATES FOR THE ANNUAL INSPECTION FOR 1911.

Office of The Adjutant-General of the State, Albany, April 19.
State Arsenal, New York City, March 7.

National Guard.

- Headquarters Division, Albany, April 19.
- Headquarters Division, New York City, March 6.
- Headquarters 1st Brigade, New York City, March 6.
- Headquarters 2nd Brigade, Brooklyn, January 26.
- Headquarters 3rd Brigade, Albany, April 20.
- Headquarters 4th Brigade, Buffalo, April 18.

Corps of Engineers.

22nd Regiment, New York City, February 9 and 10.

Signal Corps.

- 1st Company, New York City, March 23.
- 2nd Company, Brooklyn, March 27.

Coast Artillery Corps.

Headquarters Coast Artillery Corps, Brooklyn, February 15.
 8th Artillery District, New York City, March 1 and 2.
 9th Artillery District, New York City, March 9 and 10.
 13th Artillery District, Brooklyn, February 15 and 16.

Cavalry.

Squadron A, New York City, April 4.
 Squadron C, Brooklyn, April 5.
 Troop B, Albany, April 6.
 Troop D, Syracuse, April 7.

Field Artillery.

Headquarters 1st Battalion, New York City, February 7.
 1st Battery, New York City, February 6.
 2nd Battery, New York City, February 7.
 3rd Battery, Brooklyn, February 8.
 6th Battery, Binghamton, February 10.

Medical Department.

Field Hospital, New York City, January 30.
 Corps of Engineers, New York City, February 16.
 8th Artillery District, New York City, February 14.
 9th Artillery District, New York City, February 15.
 13th Artillery District, Brooklyn, February 7.
 1st Battalion, Field Artillery, New York City, February 21.
 Squadron A, Cavalry, New York City, February 20.
 Squadron C, Cavalry, Brooklyn, February 17.
 1st Infantry, Binghamton, February 3.
 2nd Infantry, Troy, February 10.
 3rd Infantry, Rochester, February 8.
 7th Infantry, New York City, February 3.
 10th Infantry, Albany, February 9.
 12th Infantry, New York City, February 8.
 14th Infantry, Brooklyn, February 10.
 23rd Infantry, Brooklyn, February 23.
 47th Infantry, Brooklyn, February 6.
 65th Infantry, Buffalo, February 6.
 69th Infantry, New York City, February 9.
 71st Infantry, New York City, February 24.
 74th Infantry, Buffalo, February 7.

Infantry.

1st Infantry, Headquarters and band, Binghamton, February 6.
 2nd Infantry, Headquarters and band, Troy, January 13.
 3rd Infantry, Headquarters and band, Rochester, March 27.
 7th Infantry, New York City, February 27 and 28.
 10th Infantry, Headquarters and band, Albany, March 6.
 12th Infantry, New York City, January 19 and 20.

- 14th Infantry, Brooklyn, February 13 and 14.
 23rd Infantry, Brooklyn, January 26 and 27.
 47th Infantry, Brooklyn, February 2 and 3.
 65th Infantry, Buffalo, April 17, 18 and 19.
 69th Infantry, New York City, February 20 and 21.
 71st Infantry, New York City, March 6 and 7.
 74th Infantry, Buffalo, April 24, 25 and 26.
 Co. H, 3rd Infantry (1st Sep. Co.), Rochester, March 28.
 Co. M, 3rd Infantry (2nd Sep. Co.), Auburn, April 11.
 Co. G, 1st Infantry (3rd Sep. Co.), Oneonta, February 7.
 Co. G, 10th Infantry (4th Sep. Co.), Yonkers, March 14.
 Co. L, 1st Infantry (5th Sep. Co.), Newburgh, February 10.
 Co. A, 2nd Infantry (6th Sep. Co.), Troy, January 16.
 Co. B, 2nd Infantry (7th Sep. Co.), Cohoes, January 19.
 Co. A, 3rd Infantry (8th Sep. Co.), Rochester, March 27.
 Co. I, 2nd Infantry (9th Sep. Co.), Whitehall, January 27.
 Co. E, 1st Infantry (10th Sep. Co.), Newburgh, February 10.
 Co. H, 10th Infantry (11th Sep. Co.), Mt. Vernon, March 15.
 Co. C, 2nd Infantry (12th Sep. Co.), Troy, January 17.
 Co. E, 65th Infantry (13th Sep. Co.), Jamestown, April 6.
 Co. M, 10th Infantry (14th Sep. Co.), Kingston, March 10.
 Co. K, 10th Infantry (15th Sep. Co.), Poughkeepsie, March 13.
 Co. E, 10th Infantry (16th Sep. Co.), Catskill, March 9.
 Co. I, 10th Infantry (17th Sep. Co.), Flushing, March 17.
 Co. K, 2nd Infantry (18th Sep. Co.), Glens Falls, January 26.
 Co. G, 2nd Infantry (19th Sep. Co.), Gloversville, January 23.
 Co. H, 1st Infantry (20th Sep. Co.), Binghamton, February 6.
 Co. D, 2nd Infantry (21st Sep. Co.), Troy, January 17.
 Co. L, 2nd Infantry (22nd Sep. Co.), Saratoga Springs, January 25.
 Co. F, 10th Infantry (23rd Sep. Co.), Hudson, March 8.
 Co. I, 1st Infantry (24th Sep. Co.), Middletown, February 9.
 Co. K, 74th Infantry (25th Sep. Co.), Tonawanda, March 31.
 Co. A, 10th Infantry (26th Sep. Co.), Albany, March 6.
 Co. K, 1st Infantry (27th Sep. Co.), Malone, February 17.
 Co. A, 1st Infantry (28th Sep. Co.), Utica, February 14.
 Co. F, 3rd Infantry (29th Sep. Co.), Medina, March 29.
 Co. L, 3rd Infantry (30th Sep. Co.), Elmira, April 3.
 Co. M, 1st Infantry (31st Sep. Co.), Mohawk, February 13.
 Co. M, 2nd Infantry (32nd Sep. Co.), Hoosick Falls, January 18.
 Co. F, 1st Infantry (33rd Sep. Co.), Walton, February 8.
 Co. B, 3rd Infantry (34th Sep. Co.), Geneva, April 10.
 Co. B, 10th Infantry (35th Sep. Co.), Albany, March 6.
 Co. E, 2nd Infantry (36th Sep. Co.), Schenectady, January 24.
 Co. F, 2nd Infantry (37th Sep. Co.), Schenectady, January 24.
 Co. C, 10th Infantry (38th Sep. Co.), Albany, March 7.
 Co. C, 1st Infantry (39th Sep. Co.), Watertown, February 15.
 Co. D, 1st Infantry (40th Sep. Co.), Ogdensburg, February 16.
 Co. C, 3rd Infantry (41st Sep. Co.), Syracuse, April 12.
 Co. E, 3rd Infantry (42nd Sep. Co.), Niagara Falls, March 30.
 Co. I, 3rd Infantry (43rd Sep. Co.), Olean, April 5.

- Co. B, 1st Infantry (44th Sep. Co.), Utica, February 14.
- Co. D, 10th Infantry (45th Sep. Co.), Albany, March 7.
- Co. H, 2nd Infantry (46th Sep. Co.), Amsterdam, January 20.
- Co. K, 3rd Infantry (47th Sep. Co.), Hornell, April 4.
- Co. D, 3rd Infantry (48th Sep. Co.), Oswego, April 13.
- Co. L, 10th Infantry (49th Sep. Co.), White Plains, March 18.
- Co. G, 3rd Infantry (50th Sep. Co.), Rochester, March 28.

II. Attention is called to the provisions of R. 941, directing annual returns of public property, with vouchers and inventories, on the date of annual inspection.

III. Commanding officers are directed not to turn in any property from the time of the receipt of this order until after the inspection of their commands, nor will commanding officers turn in any property to the State Arsenal without specific orders from the office of The Adjutant-General.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *December 27, 1910.*

GENERAL ORDERS, }
No. 51.

I.—General Orders No. 210, War Department, November 10, 1910, amending Manual of Guard Duty, is published for the information and guidance of all concerned:

GENERAL ORDERS, } WAR DEPARTMENT,
No. 210 } WASHINGTON, *November 10, 1910.*

1. Paragraphs 11, 12, 19, 20, 22, 25, 27, 29, 31, 34, 40, 91, 189, 190, 282, 384, 394, and 417, Manual of Guard Duty, are amended to read as follows:

11. As far as the exigencies of the service will permit, detachments for all service will be formed by taking battalions, companies, platoons, or other subdivisions in turn, according to the roster. (A. R. 371.)

12. At all posts or stations where there are two or more companies, guard and fatigue duties will be performed in turn by organizations or subdivisions thereof. When an organization is detailed to form

the guard the commander thereof will be the officer of the day and the junior officers thereof will be the officers of the guard. The organization may, in the discretion of the commanding officer, be inspected on its own parade by its commander and marched to the post of the guard by the senior subordinate.

When details of subdivisions of a company are made for guard duty, the detail for officer of the day, officer of the guard, if any, and musicians of the guard, will be made by roster.

19. At a post or camp where headquarters of more than one regiment are stationed, or in the case of a small brigade in the field, if but one guard be necessary for the whole post or camp, details of organizations or subdivisions for the guard will be made from the headquarters of the command, and, if formal guard mounting is to be held, the adjutant, sergeant-major, and band to attend guard mounting will be designated.

20. The following are the usual rosters relative to guard duty:

1. Officers of the Day.
2. Officers of the Guard.
3. Musicians of the Guard.
4. Organizations or subdivisions for guard.

The first three are kept when the guard is composed of less than a company.

The first two are kept by the adjutant, the third and fourth by the sergeant-major under supervision of the adjutant.

In addition to the foregoing there will be kept in each company stationed at a post or camp where there are less than two companies, and in troops or batteries which furnish their own stable and park guards, a roster of noncommissioned officers and privates of the guard.

Captains supervise the keeping of the company rosters by their first sergeants, and see that all duties performed by members of the company are duly credited.

22. An officer of the day is required for duty with each guard, and when more than one guard is required in a command, a field officer of the day may also be detailed. The field officer of the day receives his orders from the brigade or division commander, as directed by the latter. Captains may, when guards are composed of less than a company, be placed on the roster for field officers of the day.

25. The details of organizations for guard, as well as for officers of the day and guard, when made, are published at the parade next preceding the commencement of their tour. Officers are also personally notified on the day before their tour by a written order, when practicable.

27. The strength of post guards, as far as practicable, will be made so as to insure privates an interval of not less than six days between tours, or only one tour in seven days. When the number of available men at a post is not sufficient to fulfill this requirement, extra and special duty men should be regularly detailed for night guard duty, still performing their usual duties in the day time. When it becomes necessary to detail extra and special duty men for guard, a roster of such men containing a record of the guard duty performed by each will be kept by the sergeant-major under supervision of the adjutant.

29. Credit will be given to troops and batteries that furnish their own stable or stable and park guard for the number of men furnished for stable or stable and park guard as though they had been detailed for post guard.

31. The stable sergeant and stable orderly are detailed on special duty for such periods as may be directed by troop commanders, and while on this special duty are not available for guard duty.

34. Should the adjutant be notified that men are required to fill vacancies in the guard, he will cause them to be supplied from the supernumerary company or subdivision. A soldier who thus goes on guard will be credited on the company roster with a tour of guard duty as if he had been regularly mounted as a member of the guard.

40. The detail of organizations or subdivisions thereof for guard and fatigue duties will be made by roster. The size of the guard required having been determined, that organization or subdivision which meets the requirement as to strength will constitute the guard. One such organization or subdivision will then be designated as supernumerary, and the men required to fill vacancies in the guard, whether such vacancies are due to deficiency in strength of organizations detailed for guard, or to the relief of members of the guard from any cause, will be furnished from this supernumerary organization or subdivision. The detail as supernumerary organization or subdivision will hold only until each of the other organizations or subdivisions on duty at the post or station has per-

formed one tour of guard duty. The supernumerary organization or subdivision will then be placed at the foot of the roster for guard and fatigue duty and the others will, in like manner, be detailed in turn as supernumerary.

91. Should a member of the guard be taken sick, or be arrested, or desert, or leave his guard, thereby reducing the strength of the guard below the minimum required for the proper performance of the duty required of it, the commander of the guard will at once notify the adjutant. (See paragraph 34.)

189. When so directed, the officer who inspects the guard at guard mounting will select from the members of the new guard at such inspection an orderly for the commanding officer.

190. That soldier will be chosen who is most correct in the performance of duty and in military bearing, neatest in person and clothing, and whose arms and accoutrements are in the best condition. Clothing, arms, and equipments must conform to the regulations. If there be doubt as to the relative merits of two or more soldiers, the inspecting officer may cause them to form in line a few paces in front of the guard or may proceed to the guardhouse and cause them to form in line a few paces from the guard after it has been brought to an order. They fall in facing to the front at an order arms. The inspecting officer will cause them to execute the manual of arms, both with and without the numbers, to march, etc., the most proficient being selected as orderly. If doubt still exists, he will subject them to a more minute inspection, or may cause them to draw lots. The commander of the guard will be notified of the selection.

282. In camps of instruction the proper number of sentinels for the color line will be selected from the guard by the inspecting officer at guard mounting, the required number of extra men being mounted with the guard for this purpose. They are designated *color sentinels*, and are selected in the manner prescribed for the selection of the orderly for the commanding officer. (See paragraph 190.)

384. When stable guards are mounted the stables of the cavalry will be guarded by sentinels from the stable guard. When no stable guards are mounted the stables of the cavalry will be guarded by sentinels posted from the main guard, under the control of the officer of the day. The post commander will limit the number of sentinels to the least compatible with the protection of horses and property. Generally

one sentinel at each end of a row of eight or less troop stables will be ample for this duty. If less than three troops of cavalry are stationed at a post, one sentinel will be posted to the best advantage to secure safety of horses and property. A stable orderly, in addition to the stable sergeant, should always remain in the stable at night within easy call of the guard. These special details, as also that for herd guard, when necessary, will be made and credited on proper rosters. (See paragraphs 30 and 31.)

394. The stable guard, when authorized, will be mounted under the supervision of the troop commander. It will be armed, at the discretion of the troop commander, with either the rifle or pistol.

417. The guns, caissons, etc., with their ammunition and stores, as well as the horses, harness, and forage, are under the charge of a stable and park guard consisting of such noncommissioned officers and privates as the commanding officer may decide to be necessary.

[1705469A—A.G.O.]

2. Paragraphs 28, 32, 33, 38, 41, and 395, Manual of Guard Duty, are rescinded.

[1705469A—A.G.O.]

BY ORDER OF THE SECRETARY OF WAR:

LEONARD WOOD,

Major-General, Chief of Staff.

OFFICIAL:

HENRY P. McCAIN,

Adjutant-General.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,

The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, December 28, 1910.

GENERAL ORDERS, }
No. 52. }

I. General Orders, No. 49, from this office, dated December 2, 1910, is hereby rescinded.

II. Upon the recommendation of the Major-General commanding Division, National Guard, sections 2 and 116 of the "Regulations for Small Arms Firing, National Guard, N. Y., March 25, 1910," are hereby amended to read as follows:

2. Instructions in small arms practice on the armory range during the drill season will be conducted as prescribed herein. United States Firing Regulations for Small Arms is an authorized text book for field and armory small arms firing and an authority in so far as it does not conflict with these regulations.

116. For commissioned officers and enlisted men armed with the revolver only; with the revolver without rest or support of any kind for the weapon or arm.

First: At 50 yards, two strings, 5 shots each, minimum qualifying score on each string.....	17
Second: At 75 yards, 5 shots, minimum qualifying score.....	15
Aggregate	49

For all others with rifle:

First: At 200 yards, position standing, 5 shots, minimum qualifying score	16
Second: At 200 yards, position kneeling, 5 shots, minimum qualifying score	16
Third: At 300 yards, position prone, 5 shots, minimum qualifying score	17
Aggregate	49

A score of 49 or more as above will constitute a marksman qualification.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE

Circulars

[421]



[Note: Circular No. 27 is the last of the series for 1909.]

GENERAL HEADQUARTERS, STATE OF NEW YORK,
ADJUTANT-GENERAL'S OFFICE,

ALBANY, January 18, 1910.

CIRCULAR, }
No. 1. }

Upon the recommendation of the Major-General, commanding the Division, National Guard, there will be issued by this office to each Company of Engineers, Coast Artillery and Infantry, one copy of "Manual for Privates of Infantry of the Organized Militia of the United States, 1909."

Should organizations desire to secure further copies of this publication, known as Instruction Circular No. 1, Division of Militia Affairs, War Department, the same can be secured as a cash purchase under the provisions of Section 17 of the Militia Act, through the channel of this office.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
ADJUTANT-GENERAL'S OFFICE,

ALBANY, January 18, 1910.

CIRCULAR, }
No. 2. }

The following extract from the "Bulletin of Militia Notes," issued by the Division of Militia Affairs, War Department, Washington, is published for the information and guidance of all concerned:

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF
MILITIA AFFAIRS, WAR DEPARTMENT.

January 10, 1910.

Paragraph 280, Militia Regulations, as published in Circular No. 6, Division of Militia Affairs, March 29, 1909, prescribed that,—

“The duties of enlisted men of the Regular Army detailed for service with the Organized Militia * * * include all matters pertaining to the theoretical and practical *instruction* of the Organized Militia of the State which may be assigned to them by the officer of the State under whose orders they are serving. The Department desires that the State military authorities shall take every advantage of the experience the enlisted men so detailed may have had in, and the knowledge they may have of, matters of *drill, instruction, discipline, and customs of the regular service*. It is to be clearly understood, however, that enlisted men detailed under the provisions of the foregoing paragraph *shall not be employed in any other than a military capacity.*”

The Department intends that this paragraph shall be construed to exclude from the duties of noncommissioned officers detailed with the States all employment as clerks, janitors, laborers, etc. It is intended that these noncommissioned officers shall be used only as instructors, both theoretical and practical, and in work directly incident thereto. Classifying and assorting, and boxing and shipping quartermaster's and ordnance stores, keeping memorandum receipts, receiving reports from company commanders, and filing the same away, and clerical work in the Adjutant-General's office are not considered to be in accordance with the paragraph cited. It is the opinion of the Department that the duty of making inventory of property is not a duty which pertains directly to instructions.

January 13, 1910.

In response to a request for information by the Adjutant-General of a State in regard to the possession by a body of rioters of Springfield rifles, model of 1884, which it was thought was procured by purchase from the Ordnance Department of the Army, the following report of the Acting Chief of Ordnance was communicated:

“At various times, previous to the restrictions placed upon such sales by the Secretary of War last March, sales of condemned and obsolete Springfield rifles were made by this Department to dealers in conformity with existing law and the custom theretofore followed in the disposal of such material. No sales to dealers have been made since such sales were prohibited by the direction of the Secretary of War, as referred to above. The sale of arms to individuals of known standing who desired the arms of their own use, and agreed not to dispose of them to others, has been continued, as sales of this kind were not prohibited.

“The dealers who purchased arms prior to the prohibition of such sales have placed the arms so purchased upon the market, and

this is unquestionably the source from which those referred to within were procured.

"It should be noted in this connection that according to numerous advertisements in daily papers throughout the country quantities of high powdered magazine rifles of foreign make have been imported in this country, and are offered for unrestricted sales at prices which allow of their general purchase by people of small means. It will be seen, therefore, that rifles manufactured by this Department are not the only ones procurable by people generally, and that the cessation of the sale of condemned and obsolete weapons by this Department does not close the sources from which efficient arms can be procured cheaply.

"This department of course is without authority to restrict the sale of foreign arms, or of those sold to dealers prior to the orders directing the discontinuance of such sales."

One pair of new bronze collar buttons, which are to be issued by the Quartermaster's Department to the Organized Militia of the several States and Territories upon requisition of the Governor as a charge against the allotment to the State or Territory under Section 1661, Revised Statutes, as amended, or as an issue under the Act of May 27, 1908, or as a sale for cash under the provision of Section 17 of the Militia Law, will be worn on each side of the collar.

There is no authority of law for the transfer of funds from one disbursing officer of the Organized Militia to another. Whenever any disbursing officer of the United States ceases to act in that capacity, he should deposit so much of the funds remaining in his possession as are not represented by outstanding checks to the credit of the Treasurer of the United States, with the depository with whom they remain. Funds so deposited will then become subject to the requisition of the Governor on the Secretary of the Treasury for the issuance of a warrant, in favor of the new disbursing officer, for such amount as he may deem sufficient to meet current expenditures.

A disbursing officer for the Organized Militia, duly appointed and acting at State encampments, may be paid the pay of his rank, or grade for the actual time, not exceeding twenty days, required in making settlement of accounts after encampments. The pay of disbursing officers is governed by two decisions of the Comptroller of the Treasury, dated December 12, 1903, and January 13, 1908, respectively, which are incorporated in paragraph 68 of the Militia Regulations.

Circulars Nos. 14 and 72, War Department, series of 1908, publish a list of the various forms which are issued by the Ordnance Department for use in making annual returns to cover accountability for ordnance and ordnance stores, and Forms Nos. 92, 93 and 94, vouchers to Form No. 91, are not the proper forms to be used for this purpose.

In response to a request made by the captain of a company of the Organized Militia of a State for permission to use certain Government buildings and ground as an armory for the company and a residence for himself, the Acting Secretary of War decided that the approval of this request would be opposed to the policy of the War Department, which contemplates that the States shall provide adequate armory accommodations for their Organized Militia.

* * * * *

GENERAL HEADQUARTERS, STATE OF NEW YORK,

ADJUTANT-GENERAL'S OFFICE,

ALBANY, *January 21, 1910.*

CIRCULAR, }
 No. 3. }

The following opinion of the Judge Advocate on the staff of the Major-General, commanding Division, relative to the examination of candidates for non-commissioned staff officers of Coast Artillery Corps which is approved and concurred in, is published for the information and government of all concerned:

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK.

STEWART BUILDING, 280 BROADWAY,

NEW YORK CITY, *January 12, 1910.*

Adjutant-General Division, N. G., N. Y.:

SIR.—Upon the application of an enlisted man of the C. A. C. to be warranted as electrician sergeant forwarded with the approval of the captain of his Co. and of the C. O. of the Artillery District, the Chief of Coast Artillery has placed an endorsement requesting to be advised whether under M. L. 99, as amended by chapter 372, Laws of 1909, he can appoint a board of examiners and warrant noncommissioned staff officers, calling attention in that connection to Circular No. 50, W. D., 1909.

In the M. L., as originally written, an Artillery District was assimilated with a regiment and the appointment of noncommissioned staff officers was given to the ranking officer commanding the district. The amendment to the law made in 1909 consisted in excepting from this provision the non-commissioned staff officers enumerated in subdivision c. of the section and in providing that they "shall be warranted by the Chief of Coast Artillery." The language of the act on this point is clear and explicit. The preliminaries to the issuing of warrants by the Chief of Coast Artillery remain now as before the amendment and are in the words of the section—"All noncommissioned officers shall be warranted in the discretion of the officer issuing the warrant upon the written nomination of the officer under whose immediate command they shall respectively serve.

No enlisted man shall be warranted as a noncommissioned officer unless he shall have passed a satisfactory examination before a board of examiners to be appointed by the officer authorized to issue such warrant," followed by an exception as to departmental noncommissioned officers.

When, therefore, a nomination to a position of noncommissioned staff officer is made in conformity with this section, the Chief of Coast Artillery has, in my opinion, clear authority to appoint a board to examine the nominee and upon its favorable finding to issue a warrant to him.

I have examined and attentively considered Circular No. 50, W. D., 1909, as well as Circular No. 21, W. D., 1908, which bears upon the same matter. In the circular of 1908 it was in substance provided that where U. S. army officers acting as instructors found that men in any coast artillery militia organization possess the qualifications for certain enumerated positions, including that of electrician sergeant, their C. O. should be requested to report them by name to the U. S. Artillery District commander, who should appoint a board of two regular officers and one militia officer to examine them according to rules to be published by the W. D. The circular of 1909 is supplementary to this and provides for the method of examination and prescribes that the questions shall be furnished from the office of the Adjutant-General of the army, marked by the members of the board and approved by the U. S. Artillery District commander.

The language used in both circulars is that of requesting and recommending except that the last paragraph of the circular of 1909 prohibits the assignment of an enlisted man of the militia "to the independent use of any coast artillery instrument or other article of equipment connected with the performance of the duties of any of the several positions enumerated or referred to in this circular," unless he has qualified through the examinations therein prescribed.

The procedure outlined in these circulars does not displace and cannot be accepted in lieu of the form of procedure prescribed in M. L. 99. The requirements of the M. L. are explicit that the Chief of Coast Artillery in this State shall appoint the boards to examine candidates for such positions and it is plain that a board appointed by a U. S. army officer does not in any way answer the requirements of the statute. It is equally true that the "board" which the Chief of Coast Artillery is to appoint is to be made up of officers of the National Guard of this State, first, because the word "board" when found in the statute has as its natural meaning a board composed of officers in the service in which the appointment is made; second, because when an examination of noncommissioned officers was first required in the M. C. of 1883 (Sec. 28) a board of National Guard officers was in terms required and this was continued in the M. C. of 1893 (Sec. 53) and in the M. C. of 1898 (Sec. 75) the present wording was used.

Two rules of statutory interpretation are applicable, first, "that a thing which is within the intent of the makers of a statute is as much within the statute as if it were within the letter, and a thing which is within the letter of a statute is not within the statute unless it be within the intention of the makers" (Donahue vs. Keeshan, 91 A. D. 602, 605; Riggs vs. Palmer, 115 N. Y. 506; People vs. Barker, 152 N. Y. 417, 447).

Lastly, the Act of 1898 has uniformly been construed to require boards of the same composition as theretofore, and as has been said by the Supreme Court of the United States, "A contemporaneous construction of a statute by those charged with its execution especially when it has long prevailed, is entitled to great weight and should not be disregarded or overturned except for cogent reasons and unless it be clear that such construction is erroneous" (U. S. vs. Johnston, 124 U. S. 236, 253; Pennoyer vs. McConnaugh, 140 U. S. 1, 23; City of New York vs. N. Y. City Ry., 193 N. Y. 543, 549).

There is absolutely nothing to show that the Act of 1898 intended to change the previous procedure and there is nothing to warrant the belief that the Legislature of 1898 or at any time had in contemplation a board composed of U. S. army and National Guard officers.

There is nothing in the State M. L. on the point under consideration that is repugnant to the United States Constitution or to any law of

Congress. It is, therefore, valid legislation (U. S. Const., Art. I, Sec. 8; Houston vs. Moore, 5 Wheat. 16; People Leo vs. Hill, 126 N. Y. 504.)

I am, therefore, of the opinion,

First.—That the Chief of Coast Artillery has under M. L. 99 ample authority to appoint a board to examine noncommissioned staff officers of the C. A. C. upon nominations made in conformity with that section and to issue in his discretion warrants to such nominees as shall have passed a satisfactory examination.

Second.—That an examination made by the board appointed by a U. S. army officer in pursuance of Circular No. 50, W. D., 1909, does not satisfy the requirements of M. L. 99 and cannot be accepted in lieu of the procedure directed to be followed in that section.

Respectfully,

W. W. LADD,
Judge Advocate.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

ADJUTANT-GENERAL'S OFFICE,

ALBANY, *January 21, 1910.*

CIRCULAR, }
No. 4. }

The following opinion of the Judge Advocate on the staff of the Major-General, commanding the Division, relative to dishonorable discharge, is published for the information and guidance of all concerned:

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK.

STEWART BUILDING, 280 BROADWAY,

NEW YORK CITY, *January 15, 1910.*

Adjutant-General Division, N. G., N. Y.:

SIR.—In his communication Mr. J * * * F. D * * * states that about October 1, 1900, he enlisted in Co. A, 14th Regiment, and served until February 22, 1902, when his business required him to move from Brooklyn to Newark, New Jersey. He informed the then corporal of his squad, who is now Captain of Co. * * *, 14th Regiment, of his change of residence and was told he would be dropped. He understood this had been done until after his return to Brooklyn in 1907; he went to the armory of the regiment and was refused admittance on the ground that he had been dishonorably discharged. Previous to that he had no notice of any charge against him nor any notice or order requiring him to appear before a military court. He asks that his record be corrected.

The company records confirm his statement that he enlisted October 1, 1900, and show that up to December 31, 1901, he did 95 per cent. of duty, and up to December 1, 1902, 79 per cent. On this latter date he was, according to the record, "dishonorably discharged for continued neglect of duty" by the C. O. of the regiment.

Captain B * * * confirms Mr. D * * *'s statement that he reported his change of residence to him, the then corporal of his squad, and he adds he reported the statement to the captain of the company.

The proceeding in which the discharge was issued was taken under section 79 of the M. C. of 1898 then in force which, so far as material, provided that a dishonorable discharge might be given by the C. O. of a regiment to "an enlisted man whose immediate commander applies to have him discharged for the good of the service, after giving him ten days' notice of such application and an opportunity to be heard in defense of his conduct."

A careful examination of company and regimental records has been made with these results: Under date of November 21, 1902, the captain of Mr. D * * * 's company wrote him, "You are hereby notified to appear before the C. O. of this regiment within ten days from date and show cause why you should not receive a dishonorable discharge for continued neglect of duty and nonpayment of dues." There is nothing to show how, when or where this notice was served on Mr. D * * * .

On December 1, 1902, the Captain of Co. * * * in a writing addressed to the Regimental Adjutant requested that Mr. D * * * "be granted a dishonorable discharge by reason of continued neglect of duty, he having been given the required ten days' notice and failed to respond." On the same day the request was granted and Mr. D * * * dishonorably discharged by S. O. 261.

Notwithstanding that Mr. D * * * in February, 1902, gave notice of his removal without the State to his corporal in strict conformity with regulations, and notwithstanding that fact was reported to the C. O. of his Co., the latter, in November of that year, after nine months had passed, procured his dishonorable discharge for neglect of duty, and this after he had performed 95 per cent. of duty up to December 31, 1901, and 79 per cent. to December 1, 1902, the latter figure including the duty not performed between February, when he went to Newark, and the date of his discharge, December 1, 1902.

The facts show that injustice has been done for which there is an available remedy.

Section 79 of the M. C. of 1898, as quoted above, required before any discharge could be issued that the enlisted man proceeded against should have ten days' notice of the application and an opportunity to be heard in his defense. The notice given did not specify a day or hour or place of hearing. It was utterly indefinite in these particulars and was in no sense a substantial compliance with the statute. Whether even this meagre notice ever reached Mr. D * * * does not appear — as a matter of fact he had removed without the State nine months before it was issued and this fact was known to his captain and corporal.

It is a general principle that where by statute a person is vested with power to remove another from public office or employment or to otherwise change his status upon giving a stated notice and opportunity to be heard such requirements are conditions precedent which must be complied with by the officer exercising the authority. The failure to give such notice and opportunity for a hearing as the statute requires is not a mere irregularity, but goes to the jurisdiction and invalidates the final action taken (People Munday vs. Fire Commissioners, 72 N. Y. 445; People Leo vs. Doolittle, 44 Hun, 233; People Glidersleeve v. Dalton, 44 A. D. 556; People Kennedy vs. Brady, 166 N. Y. 44; People Keech vs. Thompson, 94 N. Y. 451).

In my opinion the order of dishonorable discharge in this matter was made without jurisdiction. It is, therefore, to be regarded as void and of no effect and Mr. D * * * is entitled to have his record corrected to this effect and he should be treated as having been dropped on account of removal on the date he gave notice of that fact to his corporal.

Respectfully,

W. W. LADD,

Judge Advocate.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *January 24, 1910.*

CIRCULAR, }
No. 5. }

The following, "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF
MILITIA AFFAIRS, WAR DEPARTMENT.

January 13, 1910.

The work of the present Board, which has in charge the revision of the Infantry Drill Regulations, will not be completed for a number of months. It is the intention to furnish the proposed revised Regulations to one or more infantry regiments for trial for at least six months, and after the conclusion thereof, the Board will thereupon continue its labors, having in mind the recommendations that will be received as the result of this trial, and from other sources. It will probably be at least eighteen months, and possibly longer, before any new Drill Regulations will be authorized for the use of the Army in general.

In response to a request from the Adjutant-General of a State for a ruling from the Secretary of War as to whether or not the allowance of tools and equipments for camp and garrison purposes, as provided in paragraph 134, Militia Regulations, must be on hand in order to be fully armed and equipped for field service, as contemplated by Orders of the War Department he was informed that it is considered necessary for the Organized Militia to have on hand the tools and equipments referred to, in order to conform to the equipment of the Regular Army.

War Department campaign badges cannot be issued for service January 21, 1910, in the Navy unless such service was rendered ashore under the conditions set forth in General Orders No. 129, War Department, series of 1908.

Target pasters in sheet form are not yet ready for issue, and it is not known by the Department just how soon the new pasters will be ready for issue, but it is expected that this information will be received from the manufacturing arsenal in a few days.

In reply to certain questions propounded by the captain of a proposed independent company, he was informed as follows:

There is no provision of law, or regulation for the imparting of instruction to independent organizations by Army officers, and in this connection the organization could not be considered on the same basis as an academy, at which officers of the Army are detailed for instructional purposes.

There is no authority of law by which the cadets referred to can secure an issue of Krag-Jorgensen rifles and bayonets for use in military instruction because of the receipt by the organization of a charter under the laws of the State.

By affiliation with the National Rifle Association under the Act of March 3, 1905, such an organization as the one referred to may purchase official targets, score sheets and ammunition on application to the Adjutant-General of the State.

In response to certain questions asked by an officer of the Organized Militia he was informed as follows:

An officer in charge of a rifle practice camp, situate two miles from town, is entitled to reimbursement of the sum actually paid by him for necessary transportation to and from the camp, provided his claim is approved by the Governor of the State.

The Act of January 21, 1903, makes no provision for payment of mileage to officers of the Organized Militia (Militia Regulations, paragraph 186).

Purchases on account of subsistence stores are limited in amount to twenty-five cents a ration for the number of enlisted men, but it is not requisite that the total disbursements should exactly equal the amount by multiplying the total number of rations by twenty-five cents, but they must not exceed that amount.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *January 24, 1910.*

CIRCULAR, }
No. 6. }

The following circular from the War Department, Washington, is published for the information and guidance of all concerned:

WAR DEPARTMENT,
WASHINGTON, *October 20, 1908.*

CIRCULAR, }
No. 85. }

Circular, No. 10. War Department. February 15, 1907, is rescinded and the following published in lieu thereof:

Section 2 of the act approved June 22, 1906, being an act "To promote the efficiency of the militia," reads in part as follows:

SEC. 2. * * * *Provided also*, That the sums so apportioned among the several States and Territories and the District of Columbia shall be available for the purposes named in section 14 of the act of January twenty-first, nineteen hundred and three, for the actual excess of expenses of travel in making the inspections therein provided for over the allowances made for same by law; * * *

The Assistant Comptroller of the Treasury, under date of January 19, 1907, decided in relation to such act, "that Congress, by said section 2 of the act of 1906, when enlarging the objects for which the appropriation can be used, intended that the disbursing officer provided by section 14 of the act of 1903 should be the disbursing officer to receive and disburse the money for the objects contemplated by section 2 of the act of 1906 as well as for the objects contemplated by section 14 of the act of 1903."

In pursuance of this law and decision the payment of excess expenses to inspecting officers of militia shall be made by State disbursing officers upon accounts certified to them from the office of the Paymaster General of the Army.

Officers of the Army detailed to inspection duty under the provisions of the militia act of January 21, 1903, whose expenses are in excess of the mileage accruing for such inspection travel, will forward to the Paymaster General of the Army two signed mileage accounts, two copies of the orders and approved itinerary, etc., and duplicate detailed statement of the actual and necessary expense incurred, using the following as a basis of what is allowable:

1. Fares upon railroads, steamers, or other usual modes of conveyance, including the actual cost of transportation of personal baggage not in excess of 150 pounds to each purchased ticket whenever an extra charge is made therefor.

2. Cost of seat in parlor car, one double berth in sleeping car, or customary accommodations on steamer, where same are not included in the travel fare, and fees to porters or to stewards, not to exceed twenty-five cents for each twelve hours or fraction thereof of actual travel.

3. Hire of special transportation, either by land or water, where there are no regular means of conveyance. Ferriage, tolls, driver's

service, and horse keeping, when transportation is hired. Subvouchers, properly receipted, will be required for these items when they exceed one dollar. When not practicable to obtain such subvouchers the officer will so certify.

4. Transfer coach fare *en route* to and from depots and hotels, or, when there are no such conveyances, moderate and necessary hack hire not to exceed the authorized local rates, and the cost of transfers of baggage not to exceed \$1 for each transfer. Items of hack hire require explanation as to the distance and the necessity for same.

5. The actual cost of meals while traveling, where same are not included in the travel fare, the actual cost of meals and lodgings at hotels, and the cost of baths and laundry will be allowed to an aggregate of not to exceed an average of \$6 a day for the time actually and unavoidably consumed in making the inspections, the period to be determined by the terms of the officer's orders and the approved itinerary, counting from the day of departure from his station to the day of return thereto, both days inclusive. Subvouchers, properly receipted, will be required for the expenses at hotels. When not practicable to obtain such subvouchers the officer will so certify.

6. Fees to waiters and bell-boys at hotels, not to exceed fifty cents a day or fifteen cents to waiters for each single meal on trains or at restaurants, and fees to porters for handling baggage, not to exceed twenty-five cents for each transfer of same.

All items of actual expense authorized above are for travel by the shortest usually traveled routes and at places named in the order or approved itinerary, and in proceeding from point to point in the order stated therein. Expenses incurred by any deviation from the itinerary or shortest usually traveled routes can not be considered as actual and necessary expense of the inspection. The officer will certify on the detailed statement that the account is correct and just and that the amounts charged therein were actually paid by him.

The Paymaster General of the Army will in each case arrange for the payment of the statutory mileage upon one of the signed mileage accounts as reimbursement of part of the expense, and will certify the other account to the proper State disbursing officer for payment of the excess expenses by check to the order of the officer signing the account to be transmitted to him through the office of the Paymaster General of the Army.

[1433355, A. G. O.]

BY ORDER OF THE SECRETARY OF WAR

J. FRANKLIN BELL,
Major-General, Chief of Staff.

OFFICIAL:

HENRY P. McCAIN,
Adjutant-General.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE

ALBANY, *January 25, 1910.*

CIRCULAR,
No. 7. }

The following sections of chapter eighty-eight of the Laws of nineteen hundred and nine, entitled "An Act providing for the punishment of crime, constituting chapter forty of the consolidated laws" and known as the "Penal Law," are published for the information and guidance of all concerned:

§ 1480. Depriving members of national guard of employment.— A person who, either by himself or with another, wilfully deprives a member of the national guard of his employment, or prevents his being employed by himself or another, or obstructs or annoys such member of said national guard, or his employer, in respect of his trade, business or employment, because said member of said national guard is such member, or dissuades any person from enlistment in the said national guard by threat of injury to him in case he shall so enlist, in respect of his employment, trade, or business, is guilty of a misdemeanor.

§ 1481. Discrimination against members of national guard.— No association or corporation, constituted or organized for the purpose of promoting the success of the trade, employment or business of the members thereof, shall by any constitution, rule, by-law, resolution, vote, or regulation, discriminate against any member of the national guard of the state of New York, because of such membership in respect of the eligibility of such member of the said national guard to membership in such association or corporation, or in respect of his right to retain said last mentioned membership; it being the purpose of this section and the section immediately preceding to protect a member of the said national guard from disadvantage in his means of livelihood and liberty therein but not to give him any preference or advantage on account of his membership of said national guard. A person who aids in enforcing any such provisions against a member of the said national guard with the intent to discriminate against him because of such membership, is guilty of a misdemeanor.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *January 26, 1910.*

CIRCULAR, }
No. 8. }

The following information is published for the information and guidance of all concerned:

The system of record keeping prescribed in General Orders No. 92, War Department, May 5, 1909, will, on July 1, 1910, or as soon thereafter as the necessary materials can be obtained, be adopted at General Headquarters of this State.

The attention of the chiefs of the respective divisions of The Adjutant-General's Office is invited to the methods prescribed in these general orders that they may familiarize themselves with the system of record prior to the time fixed for adoption.

By Command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *January 28, 1910.*

CIRCULAR, }
No. 9. }

The following proceedings of the National Militia Board Meeting, January 14 and 15, 1910, are published for the information of all concerned.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

PROCEEDINGS OF THE NATIONAL MILITIA BOARD MEETING,
January 14-15, 1910.

The Board assembled with Brigadier General James A. Drain, President, presiding; Colonel Wilder S. Metcalf, First Kansas infantry, was inducted as a member of the Board, instead of Brigadier General Oran Perry of Indiana, and was designated to act as Secretary, the per-

manent Secretary, Colonel E. M. Weaver, Coast Artillery, U. S. A., Chief, Division of Militia Affairs, being absent on account of illness.

On January 14 the following matters were considered and action taken as indicated below:

Question. Is it desirable to change the present method of apportioning to the States the appropriation under the Act of May 27, 1908?

Action. The Board, after mature consideration and extended discussion of the question of the expediency of a change in the present method of allotting appropriations under the Act of May 27, 1908, is unanimously of the opinion that a change would not at this time be advisable. The Board believes such instructions should be issued to inspecting officers as will cause them to make suitable investigations to determine the cause of absenteeism and whether those actually enrolled would be available for any ordered duty by the United States or the State.

Question. What should be the method of apportionment used with respect to the \$400,000 set aside out of the appropriation available under the Act of May 27, 1908?

Action. That with relation to the reservation of \$400,000 of the appropriation under the Act of May 27, 1908, the Board believes a reasonable portion of this sum could be properly used to equip newly authorized and organized organizations in the States, in the order in which the applications are received, provided such States have satisfactorily equipped and adequately taken care of existing organizations, and that, during the last quarter of the fiscal year, any balance remaining of the \$400,000 should be apportioned among the States on the basis provided for the apportionment of the main part of the appropriation.

Question. What should be the method of allotment of the funds for the joint camps of instruction?

Action. In relation to an allotment of the sums which may be appropriated by the Congress for joint camps of instruction during 1910, the Board finds it impossible, lacking information as to the wishes and resources of the States, as requested of the States in the letter of the Secretary of War dated December 23, 1909, which letter invited the participation of the States in joint camps of instruction, to fix a basis of allotment which it would consider equitable.

The Board is therefore of the opinion that the allotment should be determined by the Secretary of War as previously, after the replies of the States to the aforementioned letter have been received, such determination to be governed, so far as practicable, by the probability of organizations receiving benefit from their participation in such joint camps of instruction, taking into consideration the previous instruction of the organizations.

On January 15 motions were made and agreed to as follows:

1. The Board recommends the amendment of paragraph 185, Militia Regulations, which now provides for at least six months' membership in the Organized Militia before participation in a joint camp of instruction, so that the time shall be three months instead of six.

2. Certain proposed legislation, more specifically referred to hereinafter, which legislation has been previously approved by the War

Department, is now before the Congress. This legislation is of importance, and its adoption as law would benefit the service. The Board therefore recommends that the Secretary of War urge upon Congress the passage of the measures referred to, which may be more particularly identified in these terms:

(a) A measure providing:

That the Secretary of War is hereby authorized to make such issues of ordnance stores, from time to time, without charging the cost or value thereof, to the Governor of each State and Territory, and to the Commanding General of the National Guard of the District of Columbia, as are required to keep on hand a sufficient supply of arms and the necessary accoutrements and equipments therefor, of the model that may at the time of any issue be in use by the corresponding arm, corps or department of the Regular Army, for the use of the maximum number of organized militia authorized by law or regulations; such issues to remain the property of the United States and to be accounted for as now provided by law.

(b) Also one to this effect:

The Secretary of War is authorized, under requisition of the Governor of a State or Territory or the Commanding General of the Militia of the District of Columbia, to pay to the quartermaster general thereof or to such other officer of the militia as may be duly designated and appointed for the purpose, so much of its allotment under the annual appropriation under Section 1661, Revised Statutes, as amended, as shall be necessary for the payment, subsistence, transportation and other expenses of such portion of the Organized Militia as shall engage in encampments, maneuvers, and field instruction with any part of the Regular Army at or near any military post or camp or lake or sea coast defense of the United States.

(c) And one:

Providing for such amendments to articles of war 122 and 124, as shall establish an equitable and consistent relation in regard to precedence between the Army, Organized Militia and Volunteers.

3. Attention is directed to an indorsement of a bill authorizing the appointment of officers of the Army to meet the necessities of the Army and the Organized Militia, as recommended by this Board on January 16, 1909, as follows:

"Senate Bill 2671, which has passed the Senate and is now before the Military Committee of the House, provides for an addition of 612 officers to the Regular Army to partially meet the condition which has arisen out of the necessary detail of 691 officers for various duties away from troops. This bill received serious consideration by the National Guard Association of the United States at its last convention, and there it was unanimously approved. It has the urgent and hearty support of the Organized Militia of the country. Every effort will be made by the Organized Militia of the country to secure its passage. This Board desires to add its further indorsement, if indorsement be necessary, to this meritorious measure."

The Board desires to renew at this time its formal approval of the proposed legislation for necessary officers of the Army. It is pointed out in this connection that a subsequent convention of the National Guard Association of the United States to that referred to in the original paragraph quoted, also went on record as approving the legislation in question.

4. In the opinion of the Board, it is desirable that the Division of Militia Affairs be made a permanent bureau of the War Department, after the plan of the Bureau of Insular Affairs of the War Department.

5. The Board most heartily approves the instructional system which has been put into effect by the War Department in the past year, including camps for the instruction of medical officers and for other branches, and recommends that this system be extended to the fullest degree practicable. It is further recommended that a set of the more important blank forms used in the various supply departments, showing the most common errors, with the proper corrections noted thereon, be prepared and sent to the adjutants general of the several States, Territories and the District of Columbia.

6. It is believed that the present method of selecting aides for division and brigade staffs from officers of the line, as now fixed by Militia Regulations, is detrimental in some cases by reason of the vacancies thus created.

It is recommended that paragraphs 18 and 19, of the Militia Regulations, be modified so as to include aides of division and brigade commanders among those staff officers who may be appointed for staff duty from some staff corps or department or the line.

7. The question of the revision of the Infantry Drill Regulations having been raised, the Board recommends that the Infantry Drill Regulations be rewritten and not revised. It is considered highly desirable that the regulations be greatly simplified. Taking every factor into consideration, it is believed that their adaptability to the needs of the Organized Militia and Volunteers should be the first consideration. The Infantry Drill Regulations should deal more with general principles and less with details. It is further believed that the value of the Regulations would be enhanced if issued with a more detailed and better arranged index.

8. The Board recommends consideration of the question of the revision or rewriting of the Manual of Guard Duty, with a view to making this manual more simple.

9. In the opinion of the Board, an alphabetical list of ordnance stores, showing the class and sub-heading to which each article belongs, would facilitate making out proper returns.

10. The Board recommends a revision of the blanks used by the inspecting officers for the inspections of the Organized Militia and for making their returns of strength and property.

11. The Board desires to renew its former recommendation on the subject of the adoption of a definite military policy for the United States, with particular reference to a complete co-ordination of effort between the Regular Army and the Organized Militia, and a combined organization of the two branches for the first line of defense. It is

again recommended that such steps be taken as will insure the adoption of a definite military policy.

The proceedings of the Board were approved by the Secretary of War January 21, 1910, and direction was given that the necessary steps be taken to carry out the recommendations of the Board, in so far as practicable.

GENERAL HEADQUARTERS, STATE OF NEW YORK.
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *January 31, 1910.*

CIRCULAR, }
No. 10. }

The following, "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

By command of the Governor,
NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA
AFFAIRS, WAR DEPARTMENT.

January 24, 1910.

In response to an inquiry relative to recruiting and organizing a signal corps of the militia, information was given that the Organized Militia should concentrate its efforts in signal corps work to the development of field companies. As team work is the only means of success in field company work, very poor results would be obtained, therefore, from a signal corps field company composed of detachments located in different towns, unless the towns were sufficiently close together to permit the men to assemble at the same place for drill. The personnel of a signal corps company should be in accordance with that prescribed in paragraph 27, Militia Regulations. A new office circular is now being prepared in the office of the Chief Signal Officer, U. S. Army, which describes the property a militia field company should have and the cost of such articles.

No blanks are issued by the Medical Department on which to drop from the annual return of the Governor medical supplies expended during the year. A column is contained in the blank for the return

of field medical property, "Expended with the Sick," in which should be entered all articles so expended. Property that has been lost, destroyed, or rendered unserviceable or unsuitable, should be covered by a report of a surveying officer, as prescribed in article IV, Militia Regulations.

Signal corps silk and service guidons described in General Orders No. 67, War Department, series of 1909, may be obtained as a purchase for cash under section 17 of the Militia Law, upon request therefor, and the guidons can be furnished within ten days after the receipt of an order at the depot from which furnished.

The State of Virginia is paying each noncommissioned officer of the Regular Army, detailed with its Organized Militia, under section 20 of the Militia Law, the sum of \$30 a month for the duties performed by them as instructors, in addition to their transportation expenses.

In response to a communication received from the Adjutant-General of a State, in which information was contained that the State would be glad to institute a camp of instruction for officers, but that, as the officers number over 400, it would, perhaps, be best to have the school limited to the commanding officers of regiments, companies, troops and batteries, he was advised that his communication had been referred to the Commanding General of the Department, for action in accordance with the provisions of General Orders No. 4, War Department, January 12, 1910; which order contemplates that as soon as a State indicates its desire to inaugurate camps of this nature, the details connected therewith shall be arranged by direct correspondence between the State authorities and the commanding general of the department in which the State is located.

January 25, 1910.

The dropping allowance of clothing granted in letter of the Chief, Division of Militia Affairs, dated November 16, 1908, will govern for the calendar year ended December 31, 1909. The issue allowance for the fiscal year ending June 30, 1910, and the dropping allowance for the current calendar year are based on the results of the inspections of 1909, and future allowances will be made in a similar manner.

In making requests on the War Department for blank forms to be used by the Governors of the various States and Territories in rendering their annual returns of ordnance and ordnance stores, it will be necessary to specify in detail the several sheets pertaining to Form 18, Ordnance, as required by Circulars Nos. 14 and 72, War Department, series of 1908.

The use of penalty envelopes by the militia is limited to forwarding the required reports and returns to the War Department, and in furnishing copies of orders and circulars, issued from the military headquarters of the several States and Territories. There is no authority of law for the general use of the envelope in official correspondence of the militia with the Department.

In preparing reports of small-arms firing of the Organized Militia, the provision of paragraph 222, Small-Arms Firing Regulations, should be adhered to strictly, *i. e.*, in computing percentages the second decimal figure will be increased by one if the succeeding figure would be five or greater.

In response to a request made by the Adjutant-General of a State for information as to whether the Ordnance Department, U. S. Army, has made any test of a fire arms lubricant, manufactured by the Acheson Graphite Company, Niagara Falls, New York, or of any similar material, he was informed that a test of Acheson graphite for lubricating small arms and the prevention of metallic fouling has recently been made by the Ordnance Department; that it has been found that by the use of graphite, rusting of the arm has been prevented and the metallic fouling reduced. However, the graphite in powdered form is not suitable for issue to the individual soldier, owing to the tendency to waste, which can hardly be avoided, even with the best of care. Experiments are now being continued with reference to determining upon a solvent, oil, or similar substance to be used as a carrier for the graphite. If satisfactory material is found it is thought probable that graphite with a proper oil or mixing fluid will be supplied to the regular service and to the militia.

In response to an inquiry received from the Adjutant-General of a State as to whether certain rifles, bayonets, and bayonet scabbards may be turned in to an armory for repairs, the cost of said repairs to be charged against the State's allotment under section 1661, Revised Statutes, as amended, and whether a number of rifles that have been "shot out" can be turned into the armory for such repairs as may be necessary to place them in first-class and issuable condition, he was informed that, as it did not appear from the text of his letter that the rifles and bayonets could be repaired by the State, they should be surveyed by a disinterested officer of the Organized Militia who should recommend that they be sent to an arsenal for repairs. He was also informed that repair of the bayonet scabbards is too expensive to warrant their being turned in to an arsenal for that purpose, and that if they are unserviceable, they also should be acted upon by a surveying officer, with a view to their being destroyed.

January 26, 1910.

The topographical map of the United States Military Reservation and Artillery Rifle Range at Sparta, Wisconsin, is being printed and will be ready for distribution in a short time.

It is not the policy of the War Department to detail noncommissioned officers of Staff Departments to duty with the Organized Militia under the provisions of section 20 of the Militia Law.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, February 3, 1910.

CIRCULAR, }
No. 11. }

I. The following circular from the Signal Office, War Department, Washington, is published for the information and guidance of all concerned:

[NOTE.—Circular, No. 13, is the last of the series for 1909.]

CIRCULAR, }
No. 1. }

WAR DEPARTMENT,
SIGNAL OFFICE,
Washington, January 10, 1910.

This circular revokes and supersedes Circular, No. 1, January 2, 1907, from this office, and is published with a view to answering inquiries from Signal Corps troops of the organized militia concerning suitable equipment and cost.

For service in war, Signal Corps companies are classified according to their duties and designated as Field companies, Telegraph companies, and Base Line companies. The duties of the Field company being to lay and recover tactical lines very rapidly for telegraph and telephone communication during combat or movements of troops. The Telegraph company is equipped for installing and operating camp telephone and telegraph systems using lance pole line construction. The duties of the Base Line company are the construction and operation of permanent telephone and telegraph lines from the base of an army along the lines of supply and communication, also the establishment of Signal Corps property depots at suitable bases.

From the foregoing brief summary of duties of each class, it is evident that in time of war it will be possible to secure telegraph operators and linemen and telephone experts for performing the duties of Telegraph and Base Line companies with very little military instruction and drill. Experience has shown, however, that at least six months are required for the training of men and horses to produce an efficient Field company, therefore it is of the utmost importance that Field companies be equipped and thoroughly drilled in time of peace. The few Field companies in the regular service are entirely inadequate for serving even the present strength of the Regular Army, and every encouragement will be given to Signal Corps companies of the organized militia along these lines.

In the regular service in time of war a Field company will have an enlisted strength of 100, but at present, due to the inadequate number authorized by law, provisional companies are organized having 75 enlisted men.

The most reliable means of communication is found to be the strong, well insulated field wire which may be laid at a gallop and recovered at a fast trot by means of wire carts. A Field company of 75 men is equipped to operate four wire carts, each carrying 9 miles of field wire, two small wireless telegraph stations, and four visual signal stations.

Drill Regulations for Signal Troops, 1907, is published and issued by the General Staff. This does not include technical drill for Field companies.

A provisional drill for mounted Field companies equipped with wire carts is published as Circular No. 10, November 2, 1909, from this office.

The Signal Corps is still experimenting with various patterns of wire wagons and developing the mechanical features to secure increased efficiency. During this experimental period it is not considered advisable to issue to the organized militia any experimental pintle types (four horse), therefore issue will be made only of the model 1909 wire carts (two wheel, double reel, drawn by two horses). These carts are not carried in stock; orders are placed with manufacturers when requisitions from State organizations are received approved. Approximately five months are required to manufacture and deliver new wire carts. The Signal Corps issues only new articles to the organized militia and when not in stock this often involves considerable delay to have special instruments manufactured. It is therefore very important that requisitions should be submitted in January for any equipment needed during the next summer encampment or maneuvers.

The field wireless sets are carried on pack mules (3 mules for each station) or in a light wagon, having springs, known as an "instrument wagon." A vehicle of special construction is now being designed for carrying field wireless equipment, but on account of thorough trials which must be made before adoption, it will be at least one year before these will be available for issue to militia organizations.

It is urged that signal troops of the organized militia secure carts and equipment for field lines before applying for wireless sets.

Each wire cart is served by a detachment of twelve men, called a "wire section."

All cost prices given in this circular are only approximate, as prices quoted by dealers are constantly varying:

NECESSARY EQUIPMENT FOR ONE WIRE SECTION.

1 wire cart.....	each.....	\$626 00
3 buzzers, cavalry.....	do	27 00
3 buzzers, field.....	do	23 45
20 cells, dry, No. 4-0, reserve (extra).....	do	0 19
5 cells, dry, for cavalry buzzers (extra).....	do	0 38
2 kits, inspector's pocket.....	do	2 78
4 pikes, wire.....	do	2 00
9 wire, 11 strands, field, miles.....	per mile..	37 50
10 books, field message.....	each.....	0 07
5 connectors, buzzer, with cord.....	do	1 25
1 pliers, 6-inch.....	do	0 40
1 pliers, 8-inch.....	do	0 72

Tools with each wire cart.

- 1 oil-can, steel, pint.
- 1 chisel, cold, 6-inch.
- 1 crank, wire cart reel.
- 1 hammer, carpenter's.

- 1 screw-driver, 6-inch.
- 1 wrench, alligator, 8-inch.
- 1 wrench, cart wheel.
- 1 wrench, monkey, 8-inch.

To be supplied by Quartermaster's Department.

- 2 horses, light draft (field artillery size).
- 2 single sets wheel harness.
- 10 horses, cavalry.

Cavalry horse equipments are supplied by the Ordnance Department. The personal equipment of enlisted men is the same as prescribed for cavalry soldiers, omitting the saber and its appurtenances.

Each wire section should have means of transportation for visual signal equipment, extra instruments, buzzer wire, tools, etc. A vehicle for carrying these supplies with each section is now being designed but will not be ready for issue to the organized militia for at least one year. It is expected that when such transportation is provided each wire section will carry the following in addition to the necessary equipment enumerated above:

1 axe.....	each.....	\$1 00
1 belt, lineman's tool.....	do.....	1 88
20 books, field message.....	do.....	07
1 buzzer, cavalry, extra.....	do.....	27 00
1 buzzer, field, extra.....	do.....	23 45
20 cartridges, carbide.....	do.....	11
6 cartridges, Very, red.....	do.....	50
6 cartridges, Very, white.....	do.....	50
6 cartridges, Very, green.....	do.....	50
20 cells, dry, No. 4-0, reserve.....	do.....	19
5 cells, dry, for cavalry buzzers.....	do.....	38
1 compass, pocket.....	do.....	2 50
5 connectors, buzzer, with cord.....	do.....	1 25
1 disk, cipher, celluloid.....	do.....	15
100 envelopes, message.....	per M.....	47
2 glasses, field, 3½ x 5½.....	each.....	12 15
2 handles, pay-out.....	do.....	65
1 hatchet.....	do.....	43
1 heliograph, complete with tripod.....	do.....	56 00
2 kits, inspector's pocket.....	do.....	2 78
1 kit, flag, 4-foot.....	do.....	4 95
1 kit, flag, 2-foot.....	do.....	3 10
2 knives, brush cutting.....	do.....	1 00
6 knives, electrician's.....	do.....	35
1 lantern, candle.....	do.....	60
1 lantern, field, acetylene.....	do.....	28 50
1 pencils, dozen, copying.....	per dozen.....	50
1 pistol, Very.....	each.....	15 94
2 reels, breast.....	do.....	8 40
2 rockets, sequence.....	do.....	2 75
2 rockets, smoke.....	do.....	1 90
5 rods, ground.....	do.....	30
2 spectacles, smoked.....	do.....	17
1 telescope, complete, with holder.....	do.....	50 00
1 voltmeter, pocket, 0-6 volts.....	do.....	4 00

2 wire, field, 11-strand, miles.....	per mile....	\$37 50
2 wire, buzzer, miles.....	do	10 00

Each company of Signal Corps should have one instrument wagon for transportation of extra instruments, tools, etc., pertaining exclusively to the technical equipment, transportation for which is not provided by the Quartermaster's Department field wagons allowed to each company.

The headquarters of each Field company should be provided with the following articles carried, as far as practicable, in the pack chests on one instrument wagon:

3 boards, letter clip.....	each.....	\$0 33
50 cartridges, carbide.....	do	11
50 cells, dry, 4-0, reserve.....	do	19
30 cells, dry, for cavalry buzzer.....	do	38
1 chest, post tool.....		27 00
3 chests, pack.....	each.....	11 25
2 clamps, splicing, combination wire and sleeve.....	do	90
2 climbers and straps complete, pairs.....	per pair....	1 60
4 cord, Samson spot, 3/8-inch.....	per pound..	34
6 disks, cipher.....	each.....	15
500 envelopes, message.....	per M.....	47
2 glasses, field, 10 Terlux.....	each.....	39 90
2 grips, Buffalo, with pulleys.....	do	3 37
6 handles, extra for hatchets.....	do	05
6 helves, extra for axes.....	do	10
2 lanterns, railroad, coal oil.....	do	65
25 nails (assorted), pounds.....	per lb.....	03
1 oil can, 5-gallon.....	each.....	50
6 pikes, wire.....	do	2 00
6 pliers, 6-inch.....	do	40
3 pliers, 8-inch.....	do	72
3 relays, pocket, 150-ohm.....	do	3 00
10 rods, ground.....	do	30
4 rockets, sequence.....	do	2 75
4 rockets, smoke.....	do	1 90
2 sets, induction field telegraph.....	do	36 00
1 soldering outfit, small.....	do	8 25
4 spectacles, smoked.....	do	17
2 telephones, field.....	do	20 00
1 wagon, instrument.....	do	245 00
10 wire, field, 11-strand, miles.....	per mile....	37 50
5 wire, buzzer, miles.....	do	10 00
500 wire, outside twisted, pair, feet.....	per M feet..	11 00

To be furnished by Quartermaster's Department.

2 single sets wheel harness... } 2 single sets lead harness... } 2 mules, draft, wheel..... } 2 mules, draft, lead..... } 2 bugles. 1 guidon, service. 1 guidon, silk.	} For instrument wagon.
--	-------------------------

Single Corps field wireless telegraph sets (approximately 20 miles operating radius).

1 sending and receiving outfit in chests.....	\$398 50
1 antennae and mast, complete.....	125 00
1 storage battery Exide.....	44 80
or 1 hand generator, portable.....	110 00
1 battery-charging generator, gasoline-engine drive (required with storage batteries).....	390 00

Each company of a Signal Corps should have at least one set of the following Signal Corps Manuals:

No. 2, Regulations for Military Telegraph Lines.

No. 3, Electrical Instruments and Equipment.

No. 4, Submarine Cable Handbook.

No. 6, Visual Signaling.

No. 7, Miscellaneous Regulations, Property and Disbursing Regulations.

The Signal Corps is frequently called upon to construct and operate camp telephone systems and telegraph lines. The amount of such equipment depends entirely upon the number of troops and extent of the camp ground. The following list shows the approximate cost each of articles usually required for such service:

Arresters, lightning, Mason, fuse type..... each.....	\$0 70
Axes..... do.....	1 00
Bars, crow..... do.....	55
Bars, digging..... do.....	1 25
Belts, linemen's tool..... do.....	1 88
Blanks, message, sending or receiving..... per M.....	61
Boards, letter clip..... each.....	33
Brackets, insulator, oak..... do.....	01
Cabinet, lightning arrester, for portable field switchboard. do.....	3 50
Cells, type V..... do.....	1 52
Cells, dry, No. 5, reserve..... do.....	20
Cells, dry, No. 6, reserve..... do.....	26
Cells, dry, No. 4-0, reserve..... do.....	19
Chest, post tool..... do.....	27 00
Chest, electrical engineer's..... do.....	100 00
Clamps, splicing, combination wire and sleeve..... do.....	90
Clock, alarm..... do.....	1 18
Climbers, complete, with straps..... pair.....	1 60
Cord, Samson spot, $\frac{3}{8}$ -inch..... per pound.....	34
Envelopes, message..... per M.....	47
Fuses, for Mason lightning arresters..... each.....	01
Grips, Buffalo, with pulley..... pair.....	3 37
Hatchet..... each.....	43
Hooks, message..... do.....	02
Insulators, clamp..... do.....	20
Insulators, pig tail..... do.....	19
Lantern, coal oil..... do.....	60
Lance trucks..... do.....	270 00
Nail puller..... do.....	70
Nails, 10-penny..... keg.....	2 55
Nails, 20-penny..... do.....	2 50

Pliers, 8-inch.....	pair.....	\$0 72
Picks, 7-pound, with handle.....	each.....	50
Pencils, lead, copy.....	do.....	05
Poles, lance.....	do.....	78
Reels, pay-out.....	do.....	5 35
Reels, pick-up.....	do.....	6 70
Relays, standard, 150-ohm.....	do.....	3 00
Relays, box-sounding, 150-ohm.....	do.....	4 00
Renewals for type V cells.....	do.....	54
Rods, ground.....	do.....	30
Screw-driver, 10-inch.....	do.....	45
Shovels, 6-foot.....	do.....	78
Sounders, 4-ohm.....	do.....	98
Switchboard, telegraph, 3-line.....	do.....	7 10
Switchboard, portable, telephone, 10-drop, cordless.....	do.....	135 00
Switchboard, telephone, 50-drop.....	do.....	147 00
Switchboard, telegraph, 1-line.....	do.....	3 00
Tables, folding, telegraph.....	do.....	3 00
Telephones, desk set, L. B.....	do.....	9 00
Telephones, field.....	do.....	20 00
Typewriters.....	do.....	80 00
Voltmeter, pocket, Eldridge.....	do.....	4 00
Wire, galvanized-iron, No. 14.....	per mile.....	4 00
Wire, outside twisted pair.....	per M feet..	22 00
Wringer and pan for copying.....	each.....	2 75

JAMES ALLEN,
Brigadier-General,
Chief Signal Officer of the Army.

II. Officers in command of companies of signal corps, in making requisitions, will be guided by instructions contained in this circular and will submit requisition to this office or on before May 1, 1910, for such property required to fully meet the needs of their commands.

By command of the Governor,
NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, February 7, 1910.

CIRCULAR, }
No. 12. }

The following assignments of companies of the coast artillery corps to batteries at Fort H. G. Wright, New York, received from the Commanding General, Department of the East, relative to service directed under General Orders No. 4, A. G. O., January 31, 1910, are published for the information and guidance of all concerned. It is to be under-

stood that these assignments noted pertain only to such encampment period.

EIGHT ARTILLERY DISTRICT.

<i>Companies</i>	<i>Calibre.</i>	<i>Battery.</i>
25th and 28th.....	Mortar.	
27th and 32d.....	12".	
29th and 30th.....	10".	
26th.....	6".	
31st.....	6".	
33d.....	6".	

NINTH ARTILLERY DISTRICT.

13th and 14th.....	10".....	Barlow.
15th and 16th.....	10".....	Barlow.
17th and 19th.....	12".....	Butterfield.
18th and 21st.....	12".....	Butterfield.
20th and 22d.....	12".....	Butterfield.

THIRTEENTH ARTILLERY DISTRICT.

1st and 5th.....	12" M.....	Clinton.
2d, 8th and 10th.....	10".....	Barlow.
3d.....	6".....	Hamilton.
4th and 7th.....	12".....	Butterfield.
6th.....	6".....	Marcy.
9th.....	6".....	Marcy.
11th and 12th.....	6".....	Dutton.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK.

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, February 10, 1910.

CIRCULAR, }
No. 13. }

The following, "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA
AFFAIRS, WAR DEPARTMENT.

January 31, 1910.

Hospital Corps pouches are issued to the Organized Militia by the Medical Department at \$85.40 each, and orderly pouches at \$288.60 each.

Signal Corps day and night glass, Galilean type, complete, is issued to the Organized Militia at \$12.15 each.

The Militia Council of the State of New York, having had under consideration for some time the subject of joint field maneuvers of the Army and National Guard, has submitted to the Secretary of War the following conclusions:

First, that our troops should participate in such maneuvers because, by so doing, they help to make the numbers that are necessary to carry out large maneuvers which are a great benefit to the Army, besides being a benefit to the National Guard.

Second, the permission should be requested for this Council to be represented at all further maneuvers, whether our troops take part or not, as observers.

Third, owing to the limited time which the Guard can give to field maneuvers, it is thought that as much of said time as possible should be given to detailed instruction, which can and should be brought about by the brigade system and be of much benefit to all concerned.

Fourth, that much can be learned by the National Guard in similar maneuvers by having the guard and the regulars more intimately associated, as for example, forming brigades of one regiment of regulars with two regiments of the National Guard under the command of a brigadier-general or at least a colonel of the regular army.

Fifth, that, if permitted so to do, we can suggest ideas to the army authorities that would be of great benefit to future maneuvers and that would greatly enhance their value to, and popularity amongst, the National Guard.

The Council stated further that the Guard are anxious to learn and will absorb much in a short time; that it does not take the position of desiring to criticise, but rather of expressing an opinion of how the Army and the National Guard may grow into a harmonious whole.

The Secretary of War expressed his gratification to the Governor of New York at the conclusions of the Council, and the Assistant Secretary of War stated that there is no doubt that this attitude on the part of the National Guard authorities will greatly facilitate the development of the Organized Militia and promote coöperation between it and the Regular Army; that this latter object is very much desired and if the policies embodied in the conclusions of the Council are carried out a great advance in that direction will be effected.

He also stated that in the fifth conclusion the Council expresses its desire to make suggestions to the Army authorities that would be of

benefit to future maneuvers and greatly enhance their value to, and popularity amongst, the National Guard, and that such suggestions are particularly desired and it is sincerely hoped that the Council will fully avail itself of this opportunity of presenting its views to the Department; not only, however, in this regard but upon all other subjects that are germane to the welfare and development of our military forces.

In response to a communication received from the Adjutant-General of a State wherein information was requested as to whether a number of russet leather gun slings issued for use on the U. S. magazine rifles, model of 1898, which are on hand in the State arsenal, may be sent to an arsenal of the United States to be converted into slings adaptable for the U. S. magazine rifle, caliber .30, model of 1903, he was advised that the gun slings may be turned into the Ordnance Department and shipped to the Commanding Officer of the Rock Island Arsenal, where they will be altered into the 1907 model at an approximate cost of thirty-two cents each and returned to the State. The expense incident to the alteration of the gun slings is chargeable against the allotment to the State under section 1661, Revised Statutes, as amended, and the time for making such alteration will be about a week or ten days after the receipt of the gun slings at the arsenal.

The supply of ammunition obtained by the Ordnance Department from the United States Cartridge Company has been exhausted. This ammunition was not obtained for general issue, but for use in the National Match, and ammunition of this manufacture cannot be supplied on requisitions of the Governors of the several States and Territories. The Ordnance Department, however, has on hand cartridges of the Union Metallic Cartridge Company's manufacture, and of the Frankford Arsenal manufacture, either of which can be supplied.

In answer to a request from a State that The Adjutant-General, the Inspector-General, the Commissary-General, the Judge-Advocate-General, and the Chief Signal Officer of the State participate in the joint camp of instruction to be held during the month of August, 1910, information was given that it is not contemplated that officers other than those belonging to the organizations attending the exercises would be present; therefore, it would not be proper to provide for the pay and transportation of such officers from the funds allotted to the State under section 1661, Revised Statutes, as amended, but that, if it is desired to meet their expenses from State funds, the War Department will be pleased to have the officers present as observers, and will extend to them every facility possible to witness the maneuvers.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *February, 14, 1910.*

CIRCULAR, }
No. 14. }

The following, "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA AFFAIRS
WAR DEPARTMENT.

February, 5, 1910.

In answer to a communication from an officer in the National Guard of a State, in which he asked to be forwarded a copy of the Provisional Drill Regulations for machine-gun companies, and other literature relating to the organization thereof, and wherein information was requested as to reports of experiments covering the arming with rifles of members of such companies, he was advised as follows:

1. The Provisional Drill Regulations for machine-gun companies which are now in the hands of the printer, will, it is expected, be available for issue in about two weeks. Copies of the regulations may be purchased from the Superintendent of Documents, Office of the Public Printer, Washington, D. C., or may be procured on requisition of the Governor of the State as a charge against the allotment under Section 1661, Revised Statutes, as amended, or as a purchase for cash from State funds under Section 17 of the Militia Law.
2. Paragraph 4, General Orders, No. 113, War Department, June 19, 1906, prescribes that the individual arms and equipment will be the same as that of the arm of the service to which the organization belongs, except that infantry soldiers assigned to machine-gun companies will not carry the individual intrenching tool. This equipment, of course, includes the rifle.
3. Circular, No. 16, Division of Militia Affairs, series of 1909, contains the requirements for organizing machine-gun companies. Circular, No. 2, War Department, series of 1910, publishes extracts from the report of the commandant of the School of Musketry of the Army, on experiments made to determine the relative efficacy of machine-gun fire and infantry fire, and summary of the general principles relating to machine-guns based upon experience in actual war.

February 7, 1910.

In response to an inquiry received from the Adjutant-General of a State as to whether the expense of renting a telephone on the State rifle range is payable from the allotment set aside for the promotion of rifle practice, he was informed that if it shall be made to appear by the certificate of the Governor that the expense of renting said telephone line was incurred with his approval, for the use of the Organized Militia of the State; that its renting was essential to the promotion of rifle practice by the militia of the State, and that the State has had the benefit thereof, the contemplated payment is authorized and may be made, provided the account is correct in all other respects.

February 10, 1910.

With regard to dropping first-aid packets on the report of a surveying officer, the Adjutant-General of a State was informed as follows:

1. There are two classes of first-aid packets issued for use in the Regular Army and the Organized Militia—one being the packet supplied for purposes of instruction, and the other the service packet for binding wounds received in active service.

2. In regard to the first mentioned packet, the accountable officer may be authorized by the Secretary of War to drop the packets from his return when it is conclusively shown by the evidence submitted with the report of the surveying officer that the packets were worn out by fair wear and tear in the service as a result of their use for instructional purposes, or when the packets have been lost or destroyed through unavoidable causes, or rendered unserviceable by causes beyond the control of the responsible officer.

3. The service packet, when used in binding wounds received in service may be dropped from the return of the accountable officer upon certificate of the medical officer under whose supervision they were used, or of the commanding officer of the organization to which the packets had been issued. The original of this certificate should be attached to the copy of the annual return of medical property forwarded to the Chief, Division of Militia Affairs, and a duplicate or official copy thereof filed with the retained copy of the return.

In case the service packet is lost or destroyed, or rendered unserviceable through any cause other than by use in binding wounds, the action of a surveying officer must be had.

4. When packets of either class are lost or destroyed or rendered unserviceable, and the evidence submitted with the report of survey is not sufficient to convince the Secretary of War that the loss or destruction or unserviceable condition could not have been prevented by the exercise of reasonable care, the accountable officer will be authorized to drop the packets from his annual return, but the value thereof will be charged against the allotment of the State or Territory under Section 1661, Revised Statutes, as amended, as required by Section 4, Act of June 22, 1906.

In response to a request for information regarding the organization of a rifle club, or a separate company of the National Guard, advice was given as follows:

In accordance with the Act of Congress approved March 3, 1905, the Secretary of War is authorized to sell, at the prices at which they are listed for the Army, upon the request of the Governors of the several States and Territories, such magazine rifles belonging to the United States as are not necessary for the equipment of the Army, and the Organized Militia, for the use of rifle clubs formed under regulations prepared by the National Board for the Promotion of Rifle Practice, and approved by the Secretary of War. The Secretary of War is also authorized, in his discretion, to sell to the several States and Territories, under Section 17, Militia Law, for the use of rifle clubs of this nature, ammunition, ordnance stores, and equipment of the Government standard, at the prices at which they are listed for the Army. There is no provision of law for a gratuitous issue of property to civilian rifle clubs.

If it is desired to go into this matter further, reference to Lieutenant Albert S. Jones, Secretary, National Rifle Association of America, Hibbs Building, Washington, D. C., for all necessary information, was suggested.

The organization of a separate company of the National Guard is a matter which should be taken up with the State military authorities, as it does not come within the province of the War Department.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, February 17, 1910.

CIRCULAR, }
No. 15. }

The following communications received from the Division of Militia Affairs, War Department, Washington, relative to officers of cavalry, field artillery, engineers and signal troops of the Organized Militia, attending courses of instruction at Fort Riley, Kansas, and Fort Leavenworth, Kansas, with allowance for pay and transportation, are published for the information and guidance of all concerned.

Officers who desire to participate in such instruction, will forward application through the channel to this office:

WAR DEPARTMENT,

DIVISION OF MILITIA AFFAIRS,

WASHINGTON, February 9, 1910.

The Adjutant-General, State of New York, Albany:

SIR.—I am instructed by the Assistant Secretary of War to inform you that, with a view to giving officers of cavalry, field artillery, engineers, and signal troops of the Organized Militia an opportunity to acquire definite information of a theoretical and practical nature of the latest equipment and material pertaining to their respective arms, and with a

view to leading up to the joint maneuvers of the ensuing summer, the Department has arranged to organize certain courses of instruction for officers of cavalry and field artillery at Fort Riley, Kansas, and for officers of engineers and signal troops at Fort Leavenworth, Kansas. It is planned that these courses shall be arranged progressively; that they shall be limited to a period not exceeding 30 days; and that they shall terminate not later than June 30, 1910. The scheme contemplates that the courses shall be subdivided into periods of 10 days each, and that each period shall lead up to some definite objective in instruction, so that an officer who can be away from his business but 10 days could take the first period, one who could be away for 20 days, the first two periods, and one who could be away for 30 days, the entire course.

It is contemplated that militia officers taking these courses will be quartered in camps prepared for their use under the supervision of the Commanding Officers of Forts Riley and Leavenworth, who are instructed to arrange for the accommodation of the officers, and to provide regular messes therefor, with enlisted cooks and attendants. In connection with these messes practical demonstration will be made to the officers of the manner of handling and cooking the Government ration. Militia officers who so desire will be subsisted at these messes at the cost price of the ration with the cost of such articles added as the officer in charge of the mess may elect to supply, and a slight additional cost to cover a small extra compensation for the cooks and attendants.

It is desired that militia officers taking any one of these courses will come equipped for field service. On arriving at the post they should report to the Adjutant at post headquarters, and submit to him the orders of the Adjutant-General of their respective State, Territory, or of the District of Columbia, authorizing their attendance.

Militia officers attending these schools can receive their pay and be paid transportation by the State authorities from funds allotted to the State under Section 1661, Revised Statutes, as amended. It is expected that each officer will arrange individually for his subsistence, which may be done, if desired, as explained in the preceding paragraph. As there are no funds available to defray the cost of establishing and maintaining the mess provided for above, it will be necessary to ask that those who elect to take their meals thereat advance, in part payment for their subsistence, an amount proportionate to the number of days they expect to be attached to the mess, to be arranged by correspondence with the officer in charge of the school.

This scheme is laid before you with a cordial invitation from the War Department to any or all of the officers of cavalry, field artillery, engineers, and signal troops of your State to participate in the schools. It is requested that you lay it before the officers of these arms of your Organized Militia, and that, in case there be any who desire to take part, you will submit a list of their names to the Chief of the Division of Militia Affairs at the earliest practical date, together with the address of each, his rank, length of service, experience in field duties, and the dates between which each may be able to be in attendance. It is important that this information be received at an early date, as it will be impossible to make the preliminary arrangements for the courses until the lists are received. It will be impracticable to consider any names for the classes which are not received by the Chief of the Division of Militia Affairs on or before March 29th.

After the lists have been submitted by the Adjutants-General of the States to the Chief of the Division of Militia Affairs, they will be transmitted by the latter to the Commanding Officers of Fort Riley and Fort Leavenworth, for the information of the officers assigned as instructors of the schools. As soon as the instructors have received these lists, officers designated by the State authorities for the classes, are authorized to correspond directly with the instructors in regard to any or all matters pertaining to the courses of instruction.

The limiting dates of the courses will be, as follows:

The Fort Leavenworth schools, May 15th to June 15th.

The Fort Riley schools, June 1st to June 30th.

Very respectfully,

E. M. WEAVER,
Colonel, Coast Artillery Corps,
Chief of Division.

WAR DEPARTMENT,

DIVISION OF MILITIA AFFAIRS,

WASHINGTON, February 11, 1910.

The Adjutant-General, State of New York, Albany:

SIR.—Referring to and supplementary to the letter from this office dated February 9, 1910, in regard to the proposed camps of instruction at Forts Leavenworth and Riley, I beg to urge upon your consideration the importance of having one or more officers from your State participate in each of the courses of instruction. No special effort has been made here-

tofore to distribute and to co-ordinate among the officers of the auxiliary arms of the Organized Militia a knowledge of the special equipment of these arms, and of the uses of this equipment in field service. One of the objects in arranging the schools is to bring together, at Forts Leavenworth and Riley, officers of the auxiliary arms from all sections of the United States in order that they may have there an opportunity to study the special equipments of their arms, respectively, under particularly favorable conditions, both as to the capacity of the instructors and as to the modernness of the material. It is thought by the Department, also, that the bringing together of officers in this way from the several States, Territories, and the District of Columbia, will do more than any other thing that is possible to introduce uniform methods of instruction among the auxiliary troops of the Organized Militia throughout the country. It will offer, also, an opportunity for the officers of the several arms to exchange ideas among themselves as to the best home methods of solving problems which pertain to the efficiency of these arms among the Organized Militia. The Department in arranging for these schools is making an exceptional effort to promote the interests of the auxiliary arms in the Organized Militia, and I am instructed by the Secretary of War to express the earnest hope that the military authorities of the several States, Territories, and the District of Columbia, will co-operate in this effort to the extent, at least, of having one officer of each arm of the service which they may have among their organized forces, represented thereat.

Very respectfully,

E. M. WEAVER,
Colonel, *Coast Artillery Corps,*
Chief of Division.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK.

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *February 21, 1910.*

CIRCULAR, }
No. 16. }

The following, "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA AFFAIRS, WAR DEPARTMENT.

February 17, 1910.

The prices for hospital corps pouches and orderly pouches quoted in the Bulletin of Militia Notes issued January 31, 1910, are in error, as same were taken from a quotation received from the Medical De-

partment, made on lots of 20 and the prices were inadvertently given out as being \$84.40 and \$288.60 each. These amounts divided by 20 will give the correct cost of each pouch, viz., \$4.22 and \$14.43, respectively.

The metal cases for first aid packets provided by General Orders, No. 84, War Department, 1906, were not found entirely satisfactory, and the Ordnance Department has been directed to manufacture a canvas pouch suitable for carrying first aid packers, the price of which is fourteen cents.

The selection of National Guard officers for appointment as second lieutenants in 1908, was intended to fill vacancies during that year only.

Persons holding certificates of eligibility for commissions in any volunteer force which may hereafter be called for and organized under the authority of Congress are authorized to attend military schools or colleges of the United States other than the Military Academy at West Point (see section 23, Militia Law), the periods of instruction being as follows:

Garrison Schools for Officers.....	Nov. 1 to Mar. 31
The Army School of the Line }	} Ft. Leavenworth, Kan., Sept. 1 to June 30
The Army Signal School }	
The Army Staff College }	
The Coast Artillery School, Fort Monroe, Va.....	Sept. 1 to Aug. 1
The Army Medical School, Washington, D. C.....	8 mos. from Oct. 1

No provision is made for the attendance at joint camps of instruction of any persons who have been found eligible for commissions in volunteer forces who are not members of the Organized Militia. Several cases are of record, however, in which the War Department has authorized such persons to attend joint camps of instruction as observers, on recommendation of the commanding general of the camp. In such cases the authority carried the requirement that all expenses incident to attendance at the camp should be borne by the persons to whom the authority was granted.

The funds appropriated by Congress under the Act of May 27, 1908, are available only for the manufacture and purchase of supplies, and cannot be used in defraying expenses incident to the transportation of troops to camps of instruction, the latter being payable from the State's allotment under section 1661, Revised Statutes, as amended, or from the appropriation "Encampment and Maneuvers," or from State funds.

Under the provisions of section 13 of the Militia Law, the following rules govern the use of the clothing allowance: (a) When the Organized Militia is uniformed for service in the field, the Secretary of War will fix an annual clothing allowance to each State, Territory, and the District of Columbia for each enlisted man of the Organized Militia thereof; (b) When the clothing allowance has been fixed for a State, issues of clothing to that State shall be in accordance with such allowance; (c) The Governor of the State shall be authorized to drop from his return each year, as expended, clothing corresponding in value to such allowance.

In response to an inquiry as to whether there is any objection on the part of the War Department to the manufacture and sale of an emblem bearing the United States coat of arms and an inscription "United States Army Reserves," information was given that the inscription was a misnomer, as there is no military organization of that name, the term used in the Federal Law relating to the National Guard of the several States being "Organized Militia of the United States;" that, inasmuch as the United States coat of arms might be considered as connecting the wearer with the United States service, and inasmuch as the Organized Militia, in time of peace, is not in the service of the United States, the Department is of the opinion that it would not be proper for a general emblem like the one submitted to be worn in time of peace by members of the Organized Militia.

The prices of the components of the cartridge belt, woven, infantry, caliber .30, model of 1903, issued by the Ordnance Department, are as follows:

Belt	\$2 25
Suspenders, pairs	55
Canteen straps	16
	<hr/>
	\$2 96

The price of the cartridge belt fastener (7 cents) is included in the \$2.25 charged for the belt.

Copies of the "Manual for Privates of Infantry, Organized Militia of the United States," pamphlet on guard duty, and book on proposed firing regulations for 1909 are not available for gratuitous distribution. They can be obtained by the Organized Militia on requisition of the Governor of the State as a charge against the allotment to the State under section 1661, Revised Statutes, as amended, or the Act of May

27, 1908, or as a purchase for cash under the provisions of section 17 of the Militia Law. The publications can also be purchased by an individual direct from the Superintendent of Documents, Office of the Public Printer, Washington, D. C., the prices being:

Manual for Privates of Infantry, Organized Militia of the United States	20 cents
Pamphlet on Guard Duty.....	5 cents
Provisional Small-Arms Firing Manual, 1909.....	40 cents

In regard to camps of instruction to be held for infantry officers of the Organized Militia this summer, information was given to the Adjutant-General of a State, as follows:

1. Officers attending a camp will be entitled to per diem and actual expenses of travel, including sleeping car accommodations, but they must provide their own subsistence.

2. The rental of the necessary camp ground, as well as other incidental expenses in connection with the erection of the camp, the laying of water pipes, and the taking down of the camp at the close of the encampment, may be met from the allotment to the State under section 1661, Revised Statutes, as amended.

3. Field and staff officers of regiments of infantry, who attend the camp under orders of the State authorities, will be entitled to pay and the same travel allowances as the company officers, but they also will be required to provide their own subsistence.

Penalty envelopes of the War Department may be used by the Organized Militia in the following cases:

In mailing all reports and returns required by the War Department, enumerated in paragraph 278 of the Militia Regulations, and such other reports or returns as are required from time to time; all copies of State circulars and orders mailed to the War Department; all official correspondence of disbursing officers appointed under section 14 of the Militia Law, in relation to their duties as such. It is unlawful to use penalty envelopes for sending out orders and circulars in the State.

The exact cost of the bronze collar buttons to be issued by the Quartermaster's Department to the Organized Militia, is not known at the present time. After the estimated quantities required are ascertained the bids of the contractors will be opened and precise information given to the States as to the cost of the buttons. The cost of cutting the dies for the letters of the several States will probably make the initial cost of the button from seven to ten cents. Thereafter it is expected that the cost of additional quantities will be materially reduced.

The supply of Captain Sherrill's "Military Map Reading," procured by the Division of Militia Affairs for issue to the Organized Militia is now exhausted. Copies may be obtained by application to the Secretary, Army Service Schools, Fort Leavenworth, Kansas, where they are published.

The question of providing suitable shoes for members of the Organized Militia is one for the State authorities to determine.

No better preservative for shoes has been found than Neat's-foot oil, which is the only oil issued by the War Department for use on shoes.

The prices of clothing and equipage are published in General Orders, No. 124, War Department, June 24, 1909. The price-list of small arms and hand arms, small-arms ammunition, personal equipment of the soldiers, officers' equipments, and miscellaneous articles for the use of troop, battery and company organizations, is being revised and will be ready for issue in about two months. The price-list in operation at the present time, and until the new one is received, is No. 1879, Ordnance Department.

The question of holding joint maneuvers at Sparta, Wisconsin, during the summer of 1910, is now being considered by the War Department.

In response to a request for information regarding the organization of machine or gatling-gun platoons in the United States Army, the Adjutant-General of a State was informed as follows:

1. In the regular service the organization of machine-gun platoons, as prescribed in existing orders of the War Department, has been found to be not entirely satisfactory, and the formation of machine-gun companies in place thereof is now under consideration by the Department. It is intended that each regiment of cavalry and of infantry shall have a thirteenth company as a machine-gun company. The existing law will not admit of this being done in the Regular service at this time and the Provisional Field Service Regulations recently issued provide for the formation of such a company in each regiment by the detail of officers, noncommissioned officers and soldiers from the existing companies of the regiment. There is, however, no objection to the State organizing separate, independent units, designating them as machine-gun companies, and attaching them to infantry or cavalry regiments for duty. In fact, Circular No. 16, Division of Militia Affairs, series of 1909, was issued with the object in view of having provisional units formed in the Organ-

ized Militia, and the authority given in paragraph I thereof is ample for the purpose. The general principles of organization enumerated in that paragraph should be observed.

2. For such a provisional company the following tentative scheme of organization is suggested:

<i>Minimum.</i>	<i>Maximum.</i>
1 Captain.	1 Captain.
1 First Lieutenant.	1 First Lieutenant.
1 Second Lieutenant.	1 Second Lieutenant.
1 First Sergeant.	1 First Sergeant.
1 Quartermaster Sergeant.	1 Quartermaster Sergeant.
1 Mess Sergeant.	1 Mess Sergeant.
4 Sergeants.	4 Sergeants.
6 Corporals.	9 Corporals.
2 Cooks.	2 Cooks.
2 Musicians.	2 Musicians.
1 Artificer.	1 Artificer.
1 Mechanic.	1 Mechanic.
42 Privates.	92 Privates.
<hr/>	<hr/>
61 Total Enlisted.	114 Total Enlisted.

3. Circular, No. 2, War Department, series of 1910, publishes extracts from the report of the Commandant of the School of Musketry of the Army, on experiments made to determine the relative efficacy of machine-gun fire and infantry fire, and a summary of the general principles relating to machine-guns, based upon experience in actual war.

4. The Provisional Drill Regulations for Machine-Gun Companies are now in the hands of the printer, and it is expected that they will be available for issue in a short time, when copies thereof may be procured upon requisition in the usual way, either under section 1661, Revised Statutes, as amended, or the Act of May 27, 1908, or as a purchase for cash under the provisions of section 17 of the Militia Law.

5. General Orders, Nos. 5, 112, 113, and 136, War Department, series of 1906, prescribe the method of organizing machine-gun platoons as at present constituted in the regular service, and the armament and equipment thereof.

The following information has been furnished the Adjutant-General of a State: Target A (8-inch bull's-eye) is prescribed as the target to be used in firing the course in revolver practice prepared by a special committee appointed by the President of the National Guard Association, which course was approved by the Secretary of War and published in Circular, No. 85, War Department, series of 1907, commended for acceptance by the Organized Militia. Target N is prescribed for troops of the regular service in dismounted practice, but it should be used instead of Target A if the Regular Army course is adopted in place of the militia course outlined in paragraph 169, Provisional Small Arms Firing Manual, 1909.

It is considered that the Act of March 3, 1905, authorizes the Governor of a State to forward requests for the purchase of arms and equipment for the use of rifle clubs certified as affiliated with the National Rifle Association. These requests may, however, be made by the Adjutant-General of a State in the name of the Governor, but if the purchases are to be made from State funds, the request therefor should contain the statement that the arms and equipments are for the use of the Organized Militia of the State.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, *March 4, 1910.*

CIRCULAR, }
No. 17. }

The following circular from the Division of Militia Affairs, War Department, Washington, is published for the information and guidance of all concerned, and particular attention is invited to amendment to Paragraph 185 of the Regulations of the War Department governing the Organized Militia:

WAR DEPARTMENT,

DIVISION OF MILITIA AFFAIRS,

WASHINGTON, *January 27, 1910.*

CIRCULAR,
No. 2.

I. Paragraphs 18 and 19 of the Militia Regulations are amended to read as follows:

18. Where two or more brigades are organized such brigades and the other units of the militia may be constituted a division which shall be commanded by a major-general or, in case of his absence or disability, by the senior officer of the line who is present for duty with the division.

The staff of a division shall consist of officers detailed from the various staff corps and departments as follows:

* * * * *

Three aids, captains or lieutenants, who shall be members of the Organized Militia.

* * * * *

19. A brigade will ordinarily consist of two or more regiments of infantry, three being the normal organization, but separate battalions and separate companies may be assigned thereto. A brigadier-general is the proper commander for a brigade; but in case of the absence or disability of the brigadier-general the command will devolve upon the senior officer of the line who is present for duty with the brigade.

The staff of a brigade shall consist of officers detailed from the several staff corps and departments as follows:

* * * * *

Two aids, lieutenants, who shall be members of the Organized Militia.

* * * * *

II. Paragraph 185 of the Militia Regulations, as amended by Circular, No. 8, Division of Militia Affairs, September 16, 1908, is further amended to read as follows:

185. Hereafter when any portion of the Organized Militia of any State, Territory, or the District of Columbia participates in the encampment, maneuvers and field instruction of any part of the Regular Army, under the provisions of section 15 of the Act of January 21, 1903, they may, after being duly mustered by an officer of the Regular

Army, be paid at any time after such muster for the period from the date of leaving the home rendezvous to date of return thereto as determined in advance, both dates inclusive, and such payments, if otherwise correct, shall pass to the credit of the paymaster making the same.

The officer of the Regular Army who makes the muster prescribed herein will, in connection therewith, make a careful inspection of the personnel and report specifically as to whether the troops are by training, discipline, armament, uniform, and equipment prepared for active duty in the field, and if not, in what respects they are deficient. The muster-rolls will have entered opposite the name of each enlisted man the date of his enlistment, and no enlisted man will be mustered for pay who has not been a *bona fide* member of the organization for at least three months prior to the date of the encampment, maneuvers, or exercises, or has not had equivalent service in the Army, Marine Corps, or Organized Militia of the United States, or who has not been a student at an educational institution at which military instruction is given, and who has not received the elementary instruction of recruits prescribed as requisite by the War Department.

The muster and inspection prescribed herein will be made as near as practicable at the close of the joint encampment, maneuvers, or exercises, and at a time that will interfere as little as possible with the execution of the program of instruction.

[12377—D. M. A.]

BY ORDER OF THE SECRETARY OF WAR:

E. M. WEAVER,
Colonel, Coast Artillery Corps, Chief of Division.

By command of the Governor,
NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
ADJUTANT-GENERAL'S OFFICE,

ALBANY, *March 7, 1910.*

CIRCULAR, }
No. 18. }

The following Circular, No. 7, War Department, is published for the information of all concerned:

CIRCULAR, }
No. 7. }

WAR DEPARTMENT,
WASHINGTON, *February 10, 1910.*

Circular, No. 40, War Department, September 6, 1904, as amended by paragraph I, Circular, No. 43, War Department, September 19, 1904, is further amended to read as follows:

Military stores and supplies furnished to a State or Territory or the District of Columbia for the use of the organized militia thereof, in

accordance with the provisions of existing laws, will be shipped to the governor of the State or Territory or to the commanding general of the District of Columbia Militia, or to representatives thereof, duly designated by the governor or commanding general, respectively, to such point in each State or Territory as may be indicated on the requisition for the supplies.

Invoices and receipts for such stores and supplies as may be shipped under the authority contained in the foregoing paragraph will be made out in the name of the governor of the State or Territory or of the commanding general of the District of Columbia militia, and will be signed by the governor or commanding general, or by such officer of the organized militia of the State or Territory or the District of Columbia as may be designated by them, respectively, to sign receipts for United States property.

The names of officers designated to sign receipts for government property will be reported to the Chief, Division of Militia Affairs, War Department, for record and file in his office.

By order of the Secretary of War,

J. FRANKLIN BELL,
Major-General, Chief of Staff.

[1600336, A. G. O.]

Official:

HENRY P. MCCAIN,
Adjutant-General.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK.
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *March 7, 1910.*

CIRCULAR, }
No. 19. }

The following is published for the information and guidance of all concerned:

I. ACT MARCH 2, 1903.

Arms and equipments for organized militia.

* * * That for the purpose of furnishing the necessary articles requisite to fully arm, equip and supply each regiment, battalion, squadron, company, troop, battery, signal, engineer, and hospital corps and medical department of the organized militia of the several States,

Territories and the District of Columbia with the same armament and equipment as are now prescribed for corresponding branches of the line or staff in the Regular Army, without cost to said States, Territories or the District of Columbia, but to remain the property of the United States, and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories, or the commanding general of the militia of the District of Columbia, to issue the said armament and equipment to the organized militia; and the sum of two million dollars is hereby appropriated and made immediately available until expended for the procurement and issue of the articles constituting the same.

II. ACT APRIL 23, 1904.

Field-artillery material for organized militia.

For the purpose of procuring field-artillery material for the organized militia of the several States, Territories and the District of Columbia, without cost to the said States, Territories or the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories or the commanding general of the militia of the District of Columbia, to issue said artillery material to the organized militia; * * *

III.

The Secretary of War, therefore, directed that the sum of \$700,000 should be set apart from the \$2,000,000 appropriated by the act of March 2, 1903.

IV.

WAR DEPARTMENT,
DIVISION OF MILITIA AFFAIRS,
WASHINGTON,

February 28, 1910.

The Adjutant-General, State of New York, Albany:

SIR.—It having just been decided that the special appropriations for field-artillery material for the organized militia is available for supplying the field batteries thereof with the same fire-control equipment that is issued by the signal corps to the field batteries of the Regular Army, I am instructed by the Assistant Secretary of War to request that requisition be submitted as soon as possible for complete equipment in accordance with allowance prescribed by General Orders, No. 150, War Department, series of 1909.

Very respectfully,

(Signed) E. M. WEAVER,

*Colonel, Coast Artillery Corps,
Chief of Division.*

V.

Fire-control equipment for field artillery furnished by the signal corps is as follows:

BATTERY EQUIPMENT.

3 telephones, field-artillery type.	2 flag kits, 2-foot.
2 hand reels.	2 megaphones, aluminum, 18-inch.
2 spools buzzer wire.	6 field glasses, field-artillery type.
3 ground rods.	3 buzzer connectors, model A.
3 inspectors' pocket kits.	

BATTALION EQUIPMENT.

2 telephones, field-artillery type.	1 field acetylene lantern.
2 ground rods.	1 heliograph and tripod, complete.
2 pay-out handles.	1 flag kit, 4-foot.
2 breast reels.	1 field glass, field-artillery type.
6 spools buzzer wire.	3 miles twin conductor cable, field-artillery type.
2 inspectors' pocket kits.	2 buzzer connectors, model B.
2 rolls insulating tape.	
1 pliers, 8-inch.	

Until a suitable pack reel is adopted and issued no twin conductor cable, field-artillery type, will be issued as a part of the battalion equipment of mountain artillery regiments.

REGIMENTAL EQUIPMENT.

2 telephones, field-artillery type.	1 field glass, field-artillery type.
2 ground rods.	3 miles twin conductor cable, field-artillery type.
2 inspectors' pocket kits.	2 buzzer connectors, model B.
1 field acetylene lantern.	1 pliers, 8-inch.
1 heliograph and tripod, complete.	2 rolls insulating tape.
1 flag kit, 4-foot.	

Until a suitable pack reel is adopted and issued, six spools buzzer wire, two buzzer connectors, model A, two pay-out handles, two breast reels, will be issued in lieu of three miles twin conductor cable, field-artillery type, and two buzzer connectors, model B, as a part of the regimental equipment of mountain artillery regiments.

One high-power field glass will be furnished to the commanding officer of each battery and to each regimental and battalion reconnaissance officer.

No devices other than buzzer connectors will be used in connecting field telephones or buzzers to twin conductor cables, field-artillery type.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

CIRCULAR, }
No. 20. }

ALBANY, *March* 16, 1910.

The following instructions governing pay for officers of the Naval Militia are published for the information and guidance of all concerned:

(1) Sea pay for officers of the Naval Militia shall be allowed as follows:

(a) When serving on war vessels of the United States other than those assigned to the State for use of the Naval Militia.

(b) When serving on seagoing vessels of the Naval Militia under orders which contemplates a cruise away from home port or equivalent duty of at least five days' duration.

(c) When serving in launches or pulling boats under orders which contemplates service away from home port for a period of not less than five days.

(d) When serving on seagoing vessels, launches or pulling boats of the Naval Militia in aid of the civil authorities.

Provided in each case that orders issued are in accordance with section 210, Military Law, and specifically state that sea pay is to be allowed, and further that all vouchers submitted thereunder shall show upon their face, that the essential requirements regarding service performed and period of duty have been carried out.

(2) Shore pay will be allowed for all other duty not described in preceding paragraph, when ordered or approved by competent authority.

By command of the Governor:

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

[ALBANY, *March* 19, 1910.

CIRCULAR, }
{No. 21. }

I. The following extracts from Coast Artillery Memorandum No. 3, War Department, February 14, 1910, are published for the information and guidance of all concerned:

COAST ARTILLERY }
MEMORANDUM, NO. 3. }

WAR DEPARTMENT,
WASHINGTON, *February* 14, 1910.

The following temporary assignments of coast artillery reserve organizations of the organized militia for instruction, drill, and target practice are published for the information and guidance of all concerned:

Companies of the Coast Artillery Corps that are assigned to the same batteries as coast artillery reserve companies will co-operate with and assist the latter in the performance of the duties assigned to them.

[1611203, A. G. O.]

BY ORDER OF THE SECRETARY OF WAR:

J. FRANKLIN BELL,
Major-General, Chief of Staff.

OFFICIAL:

HENRY P. McCAIN,
Adjutant-General.

Temporary assignments of coast artillery reserve organizations of the organized militia for instruction, drill, and target practice.

STATE.	Re-serve company.	Battery.	Post.	Artillery district.	
* *	* *	* *	* *	* *	
New York.....	26th.	Sumner.....	Totten.....	Eastern New York.	
	27th.	Mahan.....	do.....		
	30th.	} Graham.....	do.....		
	33d.		do.....		
	25th.	} King.....	do.....		
	28th.		do.....		
	29th.	Hazzard.....	Schuyler.....		
	32d.	Gansevoort.....	do.....		
	31st.	Bell.....	do.....		
	New York.....	6th.	Burke.....		Hamilton.....	Southern New York.
3d.		Johnston.....	do.....		
4th.		} Harvey Brown.....	do.....		
7th.			do.....		
2d.			do.....		
8th.		Gillmore.....	Hamilton.....		
10th.		} Piper.....	do.....		
1st.			do.....		
5th.			do.....		
9th.			do.....		
New York.....		11th.	Livingston.....	do.....	
		12th.	Mendenhall.....	do.....	
* *		15th.	} Upton.....	Wadsworth.....	* *
	16th.	do.....			
	20th.	} Dix.....	do.....		
	22d.		do.....		
	13th.	} Barry.....	do.....		
	14th.		do.....		
	17th.		do.....		
	19th.	Richmond.....	do.....		
	18th.	} Ayres.....	do.....		
21st.	do.....				
* *	* *	* *	* *	* *	

NOTE.—Target practice and annual encampment of militia troops may be held at batteries other than those indicated above. It is contemplated eventually to assign militia companies permanently to particular batteries of home ports. On account of the present state of organization and instruction of coast artillery reserves it is considered best that they be linked with regular companies as far as practicable and that the assignments be temporary.

II. Coast Artillery Memorandum No. 4, War Department, February 19 1910, is published herewith for the information and guidance of all concerned :

COAST ARTILLERY }
MEMORANDUM, No. 4. }

WAR DEPARTMENT,
WASHINGTON, February 19, 1910.

The attention of officers in command of mortar batteries is directed to the necessity of preventing excessive errors in azimuth in the laying of mortars, both at drill and target practice.

To this end, they will improvise a device to detect such errors, and adopt measures to correct the same before the pieces are laid.

Errors should be introduced occasionally in the azimuth posted in the pits during drill, so as to test the system adopted.

A number of devices have been used successfully for this purpose at various batteries, the simplest forms of which consist of time-azimuth-relation boards similar to the adopted time-range-relation board for guns, or time-azimuth-relation charts on which the successive set-forward azimuths and time-interval periods are represented by abscissae and ordinates.

[1598237, A. G. O.]

BY ORDER OF THE SECRETARY OF WAR:

J. FRANKLIN BELL,
Major-General, Chief of Staff.

OFFICIAL:

HENRY P. McCAIN,
Adjutant-General.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, March 28, 1910.

CIRCULAR, }
No. 22. }

The following extracts from "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

By Command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA
AFFAIRS, WAR DEPARTMENT.*February 24, 1910.*

Upon the request of the Adjutant-General of a State to turn into an arsenal of the United States, for the purpose of having new barrels fitted thereto, certain rifles which have been "shot out," he was informed that, if the rifles have become unserviceable, they should be acted upon by a disinterested surveying officer of the Organized Militia, who should recommend that they be shipped to an arsenal for repairs. If this recommendation is approved by the Secretary of War, the rifles may be shipped to the Rock Island Arsenal for repairs and subsequent re-issue to the State; the cost of repairs to constitute a charge against the allotment to the State under section 1661, Revised Statutes, as amended.

The Adjutant-General of a State has been informed that there is no authority of law for a State to loan or issue for the use of private institutions any Government property issued to the State for the use of its Organized Militia, nor is it known that there is any legislation pending which, if enacted, would authorize such action.

It having developed that the cost of transportation for the militia of The States of Wisconsin, Iowa, Minnesota, North Dakota and South Dakota, and the time consumed in going to and coming from the joint camps of instruction for their mobile troops as at present arranged make it practically impossible for these States to derive full benefit from the field exercises, the War Department has decided to establish an additional camp of instruction on the military reservation at Sparta, Wisconsin, to be held during the month of September, and to invite the troops from the States named above to participate therein.

On his recommendation for the consideration of the appointment of a civilian dentist with rank of second lieutenant in the Medical Corps of the Organized Militia of his State, the Adjutant-General thereof has been informed that, while the State authorities have the privilege of appointing such officers as may be deemed necessary, or proper, the appointment of a civilian dentist with the rank of second lieutenant, in the Medical Corps of the Organized Militia of the State, would not be in conformity with the organization prescribed for the Medical Department of the Regular Army, and the United States could not recognize such an officer in any way, either as a participant in the joint field service of the Militia with the Regular Army, or as a part of the strength of the Militia used in determining the apportionment to the State of Federal funds.

The publication "American Campaigns," by Major M. F. Steele, U. S. A., may be procured upon proper requisition of the Governor of a State as a charge against the allotment to the State under section 1661, Revised Statutes, as amended, or as a purchase for cash under section 17 of the Militia Law; the price being \$1.50 a copy.

It is the view of the Department that the provisions of paragraph 67, General Orders, No. 44, War Department, series of 1908, are sufficient to authorize any group of officers or enlisted men of the Coast Artillery Reserves to assemble at any coast artillery post at any time for purposes of instruction or drill under the supervision of the Artillery District and Post Commanders. Whenever officers and men assemble as herein indicated, for purposes of instruction or drill, the law authorizes State disbursing officers to pay the transportation and pay of officers, and the transportation, pay, and subsistence of enlisted men from the time they leave their home stations, during the period of the encampment, and to their return to their home stations, out of Federal funds appropriated by Congress under the provisions of section 1661, Revised Statutes, as amended. This procedure requires only that formal orders be issued by the Adjutants-General of the States directing the officers and men to proceed to the designated locality for the purposes indicated, and after the performance of the duty to return to their home stations.

The following publications have been issued gratuitously to the combatant officers of the Organized Militia, by the War Department: Sherrill's Military Map Reading; Studies in Minor Tactics; Problems in Minor Tactics, parts I to VII, with two-inch map of Fort Leavenworth, Kansas. No further gratuitous issue of the foregoing will be made, but the following pamphlets are in course of preparation and will be issued gratuitously to combatant officers: Study in Camp Sanitation, by Major E. L. Munson, Medical Corps, and Captain LeRoy Eltinge, 15th Cavalry; Patrols, Advance and Rear Guards and Outposts, by Major J. F. Morrison, General Staff Corps; Estimating Tactical Situations and Composing Field Orders, by Captain R. S. Fitch, 2d Cavalry.

The cost of all other publications furnished by the War Department, including General Orders and Circulars, constitutes a charge against the allotment to the States under section 1661, Revised Statutes, as amended, or the act of May 27, 1908; or they may be purchased from State funds under section 17 of the Militia Law.

With reference to two rifles in the hands of the Militia which exploded at target practice, reloaded ammunition being used, samples of

which were turned into the Frankford Arsenal for examination, the Commanding Officer of the arsenal reports that experience shows that there is great danger in hand-loading calibre .30-ball cartridges, model 1906, to give reduced velocities, using a powder as quick as lightning powder, because there always exists a danger of putting two charges of powder into one case which will always result in dangerous excessive pressures.

The pay of disbursing officers, in connection with encampments, is governed by paragraph 63 of the Militia Regulations, which prescribes that if a disbursing officer is a member of the Organized Militia and participates in the encampment thereof, he can be paid for the time actually consumed by him in making payment to the officers and men and in the preparation of his accounts for submission to the proper authorities (notwithstanding such payment is made after the encampment), and the pay of his rank or grade for not to exceed the time fixed by law within which he is required to prepare and transmit his accounts, which is twenty days. If pay is claimed for service rendered under the paragraph cited, the dates of service should be specifically stated, and not a general statement made that twenty days' service was rendered. Disbursing officers are not entitled to compensation for rendering their monthly accounts current.

Payment for work before the satisfactory completion thereof, on the execution of a bond for the due performance of the same, cannot be made for the reason that it is in violation of section 3648, Revised Statutes. Furthermore, all vouchers must contain a certificate that the services have been rendered, or the supplies delivered, and the rendition of such services, or the delivery of such supplies, certified to by the recipient, must be a condition precedent to payment therefor.

In reply to his inquiry as to how he should answer question 6, Form No. 11, Division of Militia Affairs, an inspecting officer has been informed that his inquiry is covered by the instructions printed on sheet 1 of that form, as follows:

Question 11. If arms, field service uniforms, tentage, camp equipage and kitchen utensils are kept in store at an arsenal or at the State capitol, or at regimental or battalion headquarters, for issue to organizations only when needed for active service in the field, a statement to that effect will be made. The inspecting officer must, however, satisfy himself, by an inventory furnished by the proper officer, where it is not practicable actually to inspect the property kept at such arsenal, headquarters, or other place, that the supply of such articles is ample for the complete equipment of all organizations, as required by paragraph 459, Army Regulations. The shelter tent is an article of individual equipment, and deficiencies in that article will be reported under question 8.

A new tent known as the "Pyramidal" tent has been adopted for the use of the Regular Army, the issue of which will commence when the available supply of conical tents shall have become exhausted. It is estimated that the present supply of conical tents is sufficient to meet the demands for a period of eight to ten months. The cost of the new tent complete will be \$51.40.

In order to remove any uncertainty as to the procedure to be followed in cases where members of the Militia are taken sick while engaged with the Regular Army in joint camps of instruction, it has been recommended that paragraph 1478, Army Regulations, be amended to include the militiamen so engaged in field service on the same terms as are provided for militiamen participating in the National Match.

March 3, 1910.

The following service schools of the Regular Army are open to the enlisted men of the Organized Militia:

Coast Artillery School (Enlisted Men's Division), Fort Monroe, Virginia.

Mounted Service School, Fort Riley, Kansas, including the Training School for Farriers and Horseshoers, and the Training School for Bakers and Cooks.

The Training School for Saddlers and for Battery Mechanics of Field Artillery, Rock Island Arsenal, Rock Island, Illinois.

The School for Bakers and Cooks, Washington Barracks, D. C.

The School for Bakers and Cooks, The Presidio of San Francisco, California.

A request made for the detail of troops from the Regular Army to encamp with troops of the Organized Militia at a State camp was disapproved because it was found impossible to make the detail, all of the regular troops in the vicinity being scheduled to participate in the several proposed joint camps of instruction to be held on various United States military reservations, in which all of the troops of the Organized Militia have been invited to participate.

Requests have been received by the Division of Militia Affairs from several of the States that the dates assigned for holding the joint camps of instruction be changed, but as a large majority of the States have expressed their satisfaction with the present scheme for holding these proposed camps, and the preliminary details for same have already been formulated, it is found impracticable to do so. Such a change could not be made without seriously interfering with the completed plans of the Department for the field instruction of the regular troops.

Several complaints having been received from the Adjutants-General of States that suspenders were not furnished with cartridge belts, and that no bayonets, bayonet scabbards, or gun slings were received with rifles, information has been furnished that cartridge belts and cartridge-belt suspenders are issued separately, and that bayonets, bayonet scabbards, and gun slings are not issued unless specially called for.

It has been decided by the Secretary of War that the special appropriation for Field Artillery material for the Organized Militia is available for supplying field batteries thereof with the same fire-control equipment as is issued by the Signal Corps to the field batteries of the Regular Army, and the Adjutants-General of all States having Field Artillery as a part of their Organized Militia have been requested to submit requisitions for complete equipment, in accordance with allowance prescribed by General Orders No. 150, War Department, series of 1909.

In order to systematize the issue of military property to enlisted men and make it easier for responsible officers to check such property and hold the individual soldier responsible for his losses, the State of Maine has adopted a system whereby each commanding officer is given a supply of individual issue tags. Each tag carries a printed list of all articles of arms, uniforms, and equipment which will ordinarily be issued to the individual enlisted men. Opposite each article is an O, which will be punched out by the issuing officer when the issue is made. These tags will be punched in triplicate, one of which will be retained by the company commander, one by the quartermaster sergeant, and one by the individual enlisted man to whom the property is issued, who will make certain that the punched tag agrees with what he has received. The use of a punch rather than pen or pencil prevents the possibility of erasure. When an article is taken up the name of the article will be punched out on the tag of the individual enlisted man, thereby relieving him of accounting for the same. In armories having individual lockers an additional tag may be punched and hung inside the door, so that the name and rank of the individual and the property charged to him may be readily ascertained.

In reply to his request for information as to the position and duties of a Lieutenant-Colonel on occasion of regimental review, the Adjutant-General of a State has been informed that the Lieutenant-Colonel would, during regimental review, remain "on line with majors opposite the right of the first battalion" as long as the regiment remained in line or in line of masses and would take post on the right of the staff as soon as the regiment formed column. There are no specific duties assigned to the Lieutenant-Colonel at regimental review.

The requirements for qualification as expert rifleman are contained in pages 207 to 209, inclusive, Provisional Small-Arms Firing Manual, and the test required is contained on page 98 of that Manual. No copies of the Provisional Small-Arms Firing Manual are available for free distribution by the War Department, but may be obtained as a purchase for cash on application to the Superintendent of Documents, Office of the Public Printer, Washington, D. C. Price, 40 cents.

The following resolution has been adopted by the Military Board of the State of Nebraska:

Resolved, That it is the sense of the Military Board that when a company is mustered out for inefficiency that it be held that Field and Staff Officers residing at the station of such company are also inefficient and that such Field and Staff Officers should be held responsible for the condition of that company.

Subsistence for troops participating in the joint camps of instruction should be computed at the rate of twenty-five cents a day for each man for the time spent in camp, and forty cents a day for the necessary number of days of travel.

The rank of "Assistant Adjutant-General" no longer exists in the Regular Army; the senior officer of the Adjutant-General's Department is designated as "The Adjutant-General," and the other officers of the Department as "Adjutant-General."

By direction of the Assistant Secretary of War, all blank forms heretofore supplied to the Organized Militia by the Quartermaster's Department will hereafter be issued by the Division of Militia Affairs.

The following letter has been addressed by an officer of cavalry of the Regular Army stationed at one of the posts at which the courses of instruction for officers of cavalry of the Organized Militia will be held, to each troop commander of Militia Cavalry, and is published as a matter of interest to all concerned, and as illustrating the cordial and earnest professional relations which now exist between regular and militia officers:

MY DEAR COLONEL.—The Adjutant-General of your State has doubtless before this furnished you a copy of the letter from the Chief of the Division of Militia Affairs, announcing that there has been organ-

ized a course of instruction for National Guard officers of Cavalry and Field Artillery, to be given at this post between June 1st and June 30th of this year.

The officers of this post hope that you and as many of the officers of your regiment as can possibly do so will arrange to take at least one period of the course of instruction. The course is a practical one and covers points which we believe will be most interesting and instructive to officers of the National Guard cavalry.

In addition to this, Fort Riley is one of the largest mounted service posts in the army. We have here a regiment of cavalry, a regiment of horse artillery, the mounted service schools, the school for cooks and bakers, a school for farriers, and a school for horseshoers.

There is no place in the army where the cavalry spirit is so high as at this post. It would be an education to most regular officers, who have not been stationed here, to visit this post for a week or so in order to see what is being done here for the mounted branch of the service.

You will find a splendid set of officers who will be glad to have you with them and all will do everything that can be done to make your stay a pleasant one.

We have a number of good polo teams, and, weather permitting, we have several games each afternoon.

Briefly you can expect the following from your visit to this post:

1. You will meet an enthusiastic lot of regular officers of the cavalry and field artillery branches of the service who will give you a most hearty welcome.

2. You will see a cavalry regiment, fully equipped with the most modern equipment and thoroughly instructed in its use.

3. The course of instruction will be entirely practical and will not only make the maneuver camps wonderfully more interesting to you, but will enable all to better organize, equip, and instruct their own organizations at their home stations.

4. You will meet many National Guard cavalry and field artillery officers from other States, from whom, no doubt, you will obtain many valuable ideas as to the ways and means of securing more State and local support.

5. You will be paid the actual cost of transportation to and from your home stations and the pay of your rank while so absent, provided there are either State funds or funds allotted to the State under section 1661, Revised Statutes, as amended, on hand and available for this purpose.

6. The officers detailed as instructors will be specially selected as to their fitness for the work and it will be their business to make your stay here as profitable as possible.

7. We are sure that it would be to your interest to have your officers stay for the entire course, but in cases where it is impracticable for an officer to stay for such a length of time he can stay for the ten days period or for two ten-day periods. Those officers who can only stay for one period should report on the 1st, 10th or 20th of June. Those who can stay for two periods should report either on the 1st or

10th of June, and those who can stay for the full course should report on June 1st.

I should be glad to hear from you in an unofficial way at any time and if I can give you any additional information regarding the contemplated work don't hesitate to call on me.

We will appreciate it very much if you will communicate the contents of this letter to all the officers of your regiment. I intend to write to as many troop commanders as possible but it may be that I will not be able to reach them all.

All officers should bring their bedding rolls with them. Mess, tents, etc., will be furnished by the post.

This letter is entirely unofficial and has no other object than to encourage as many as possible of your officers to take the course, because we feel certain that the results of our working together will promote our mutual interests and will tend to increase the efficiency of "the ears and eyes of the army."

March 17, 1910.

Federal funds appropriated by Congress for the armament, equipment, and instruction of State forces can be expended legitimately only for those officers and men who are *bona fide* members of the Organized Militia of the State forces in accordance with the provisions of the State laws creating those forces. The condition is imposed, however, that the State laws must provide for organizations which conform to those of the Regular Army. Only those officers, therefore, who hold commissions regularly conferred under the laws of the State, and only those enlisted men who have been duly enlisted in the Organized Militia of the State under its laws, can be considered as a part of the Organized Militia and entitled to consideration in connection with the allotment of Federal funds. In this connection, it is to be understood that the minimum limit of numbers fixed by Article II of the Militia Regulations, and the maximum limit fixed by the war strength of the units of the Regular Army, as prescribed by United States law, must be observed.

The old model field ranges will not be supplied in filling requisitions for supplies for the Organized Militia, unless specific request is made therefor, in view of the fact that the Subsistence Department is preparing to issue a modern range which will be available in about two months.

Bronze collar buttons cannot be supplied until after July 1st, next.

The Army Appropriation Bill recently passed by both branches of Congress contains an item of \$25,000 for the equipment of Coast Artillery armories. These funds will become available July 1st, next.

Circular No. 16, War Department, 1907, gives the correct parade position of the gun sling, and paragraph 89, Provisional Small-Arms Firing Manual, describes its use as an auxiliary to steady the piece in aiming.

Purchases by a disbursing officer of the Organized Militia of supplies furnished by the War Department for the equipment of the Organized Militia, from funds in his possession under section 14 of the Militia Law, cannot be made. He may, however, deposit sufficient money to cover the cost of the articles which he desires to purchase to the credit of the Treasurer of the United States to be recredited to the appropriation "Arming and Equipping the Militia." The requisition of the Governor can then be approved for issue as a charge against the allotment of the State under section 1661, Revised Statutes, as amended.

In the absence of an allotment to cover the rental of land to be used as a rifle range for the entire term of the lease, there should be a provision inserted in the lease making the term thereof, after one year, conditional upon future appropriations by Congress for the purpose.

Section 4 of the Act of June 22, 1906, requires that *whenever* any property furnished to a State has been lost or destroyed or has become unserviceable or unsuitable from use in service, or from any other cause, the circumstances shall be examined into by a disinterested surveying officer of the Organized Militia, to be appointed by the Governor of the State to whom the property has been issued.

Funds appropriated under section 13 of the Militia Law are available only for the procurement and issue of military stores and supplies to the Organized Militia, and cannot be used for paying any part of the expenses of field service.

Two mounted orderlies, one musician, and two privates (for battalion commander's reel and instruments) should be provided for each battalion of Militia Field Artillery, and a battalion headquarters which has not been provided with these will not be considered as conforming in organization as required by the Militia Act. The mounted orderlies may be carried on the rolls of the battalion, field and staff or may belong to a battery and be detailed for this duty, the strength of said battery or batteries to be increased accordingly. The musicians and two privates must belong to the batteries, the strength of same to be increased accordingly. These five men are necessary in the proper

handling of a battalion as a fire unit and in maneuvering it as a tactical unit.

The following suggestions have been made in regard to the preparation for, and conduct of, the camps of instruction for officers of Infantry of the Organized Militia contemplated in General Orders No. 4, War Department, current series: That the senior instructor for each State camp be designated as soon as practicable; that all previous correspondence on the subject be sent to him; and that he be authorized to carry on such correspondence, on matters pertaining to this subject, as he may find necessary, in accordance with paragraph 3, General Orders No. 4; that the senior instructor for each camp be informed that the entire responsibility for the success of the school rests with him, just who his assistants are to be, and that the conduct of the schools be left entirely in his hands, subject to such general instructions as the Adjutant-General of the Department may see fit to give; that the instruction given at the camp cover such subjects as will be of immediate and direct value at maneuver camps—for active service in time of war (some instruction will cover, therefore, work which could be done just as well at the home stations, but which, because of lack of capable instructors, is not done); and that an effort should be made by Department Commanders to supply one instructor for every twenty student officers assembled at the various camps of instruction.

The canvas legging with laces and with strap to go underneath the shoe is now obsolete and its manufacture has been discontinued; there are none on hand either for issue or for sale. The canvas puttee is the only style of legging now issued to the Regular Army and the Organized Militia.

Such contoured maps of maneuver camps as are available may be obtained by requisition in the usual manner as a charge against funds appropriated under section 1661, Revised Statutes, as amended, or as a purchase for cash under section 17 of the Militia Law or as an issue under the Act of May 27, 1908.

The miniature skirmish butt used with the Winder system of indoor targets can be purchased by the Ordnance Department when requisitioned for for the use of the Organized Militia. A sample butt has been furnished the Commanding Officer, Rock Island Arsenal, for his information and guidance in connection with purchases of this material when requisitions therefor are received. Issues will be made under either section 1661, Revised Statutes, as amended, or the Act of May 27, 1908, or as a sale for cash under section 17 of the Militia Law.

No printed forms of requisitions for publications are provided by the War Department, but application for such publications, or for such blank forms as may be required by the State authorities, should be made in the form of a letter addressed to the Chief of the Division of Militia Affairs and signed by the Governor of the State, or by the Adjutant-General by direction of the Governor.

The supply of Signal Corps Manual No. 3 is exhausted. This manual is now being revised and it will be about six months before the new edition will be published.

The supply of Field Service Regulations, U. S. Army, of 1908, has been completely exhausted. A revised edition of these regulations is in the hands of the printer, and it is expected that it will be ready for distribution within a short time. The exact cost of this publication is not yet known.

The "American Modification of the German Game of Kriegspiel" cannot be furnished to the States on requisition. The Secretary of the Army Service Schools, Fort Leavenworth, Kansas, will sell, on request, a map and a set of troop signs, with the following explanatory books: "Map Maneuvers," Sayre; "Simplified War Game," General Verdy du Vernois; "The Regimental War Game," Immanuel. The price of the apparatus and books combined will not exceed \$5.

In place of the troop signs and blocks, the use of a sheet of transparent celluloid (20 x 50 inches, color No. 1061, thickness 5/1000, finish AB, which can be purchased from the Celluloid Company, 32 Washington place, New York city) secured over the map with pins, on which the position of troops is marked with colored pencils, is recommended as having been used in the Army War College exercises with satisfactory results.

There is no authority of law for the issue of standard rifles to individuals, or to educational institutions other than those with which officers of the army are on duty as professors of military science and tactics.

Inasmuch as the receipts and invoices for United States property issued to the States and Territories are made out in the name of the Governor, the officer designated by the Governor, in accordance with Circular No. 7, War Department, February 10, 1910, to sign the receipts, should sign in the name of the Governor, i. e., "Richard Roe, Governor, by John Doe, Quartermaster-General," or such other designation as may be proper.

The following reply has been made to a letter received from the Adjutant-General of a State, in which he complained of the action of the War Department in charging the money value of property covered by reports of survey against the allotment to the State under section 1661, Revised Statutes, as amended:

"The Department is not unmindful of the efforts of the Adjutant-General of to comply in every way with the wishes, desires, and suggestions of the War Department in respect to the Organized Militia of the State, and thoroughly appreciates the prompt and cheerful manner in which he has complied with all requests made upon him.

"In regard to charging the money value of property issued to the State, which has been lost, destroyed, damaged, or become unserviceable, against the allotment to the State under section 1661, Revised Statutes, as amended, in carrying out the provisions of existing law, the Secretary of War is required to make charge against the allotment to a State of the value of any property that has been lost, or destroyed, or rendered unserviceable or unsuitable from use in the service, or any other cause, unless it is shown that such loss or damage or destruction could not have been avoided by the exercise of reasonable care.

"The Department has endeavored to exercise this authority in a conservative manner and to make due allowance for circumstances attending the loss, destruction of, or damage to property which are even remotely shown to be beyond the preventive action of the responsible officer. But where it is not shown that reasonable care was taken to prevent such loss, destruction, or damage, the Secretary of War has no alternative but to direct that the allotment to the State be charged with the value of the articles involved.

"When property is destroyed by fire, it must be shown that reasonable care was exercised by the State and by the responsible officer in providing protection against fire. The Secretary of War does not consider that property which members of the militia are allowed to keep in their private residences is properly and securely protected against fire or loss. The loss of clothing or equipment through desertion is not considered unavoidable, unless the desertion occurred during a period of active service, when the men would properly have their equipment in their personal possession; at all

other times clothing and equipment should be kept under official surveillance in the State armories.

"It is believed that in all cases pertaining to the State of the action of the Department has been in strict conformity with the weight of the evidence submitted, and in this connection it may be said that in many reports of survey received from States, the general statement is made that articles were 'lost or stolen, or destroyed in field service at various times, through no fault or neglect of the responsible officer.' It is obvious that such a bare statement unsupported by the affidavits required by law can not be accepted by the War Department as satisfactory evidence, and sufficient to warrant the relief of the Governor from accountability to the United States for the property issued to him. This was the case in a large number of the records submitted by the State, and the action taken by the Department was in accordance with the requirements of law.

"In paragraph 57 of the Militia Regulations the classification of the causes of damage to and of loss and destruction of military property is given as follows:

"1. Unavoidable causes, being those over which the responsible officers have no control, occurring (a) in the ordinary course of service, or (b) as incident to active field service; (c) accident or destruction without fault or neglect of responsible officer.

"2. Avoidable causes, being those due to carelessness, willfulness, or neglect.'

In the extension of the classification of unavoidable causes, the Secretary of War considers that there should be included articles lost or stolen as a result of forcible entry into armories or storehouses where the facilities provided for the safekeeping of the property were sufficient to prevent loss or theft by any other means, and the damage to, or destruction of, property by the elements.

"In the case referred to in your letter, that of Company Infantry, National Guard, a review of the copy of the survey proceedings shows that certain of the articles were lost in service, and that the loss of the others were occasioned by the armory occupied by the company being forcibly entered. The recommendation of the surveying officer is, 'that the responsible officer be relieved of all responsibility and accountability,' which recommendation was approved, by direction of the Governor, 'except as to 1st, 5th, 7th, 8th, 9th, and 13th items.' The articles excepted were those reported as having been stolen from the armory, and the evidence submitted was such as to show that the armory was adequate and secure, and that the loss of the property was due to no fault of the responsible officer; therefore, the Secretary of War was of the opinion that the State should be relieved from further accountability therefor. As the articles lost in the service

were not shown to have been unavoidably lost, the Secretary of War decided that the money value of the articles so reported should be charged against the allotment to the State. A careful review of this case will show that the action taken by the Department was in accordance with the rules set forth above.

"In connection with your statement as to the recovery from responsible officers of the value of any property which has been lost, destroyed, or damaged as a result of carelessness or neglect, it is desired to state that this is a matter which must be governed by State regulation, and no decision of the Secretary of War as to the accountability of the State to the United States can be considered as in any way affecting the accountability of officers of the Organized Militia to the State.

"All transactions covering the issue of United States property to the Organized Militia, and the care thereof, are between the Federal government and the Governor of the State, and have no bearing whatever on any transaction which the State may have with the officers of its Organized Militia. Very often the loss or destruction of property is not due to the failure of an officer to perform his whole duty in safeguarding the same, but rather to the fact that the State has not provided an ample and secure place in which to store the property. In such cases the officer has performed his whole duty to the State, but the State has not performed its duty to the United States, therefore, while the United States should hold the State to its accountability, the State cannot equitably hold the officer accountable for any property so lost or destroyed.

"The desires of the Adjutant-General of the State of to promote the military efficiency of the Organized Militia of the State have not escaped the observation of the War Department, and the Department is ready at all times to afford him every assistance that it possibly can, under the law. But as the efforts of the Adjutant-General are limited by the facilities which are afforded him by the State, so must the Secretary of War be governed by the restrictions placed upon the Federal government by the Constitution and the laws governing the issues of military supplies to the Organized Militia, and the proper safeguarding thereof."

The price of the Provisional Small-Arms Firing Manual, 1909, is fifty cents a copy, when purchased from the Superintendent of Documents, instead of forty cents a copy as stated in Division of Militia Affairs bulletin of February 17, 1910.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *March 29, 1910.*

CIRCULAR,
No. 23. }

I. The Secretary of War, having in view the theoretical and practical instruction of officers of the organized militia, has arranged to organize courses of instruction for signal troops and engineers at Fort Leavenworth, Kans., from May 15, 1910, and for officers of cavalry and field artillery at Fort Riley, Kans., from June 1, 1910. "It is planned that these courses shall be arranged progressively; that they shall be limited to a period not exceeding 30 days; and that they shall terminate not later than June 30, 1910. The scheme contemplates that the courses shall be subdivided into periods of 10 days each, and that each period shall lead up to some definite objective instruction, so that an officer who can be away from his business but 10 days could take the first period, one who could be away for 20 days, the first two periods, and one who could be away for 30 days, the entire course."

II. The following named officers, having signified their desire to take advantage of the courses of instruction in accordance with Circular 15, from this office, February 17, 1910, are authorized to proceed to the posts indicated herein, and participate in the first instruction period of ten days:

To Fort Leavenworth, Kansas:

Major Albert H. Dyett, Corps of Engineers.
First Lieutenant Christopher L. Levien, Corps of Engineers.
First Lieutenant Frederick S. Callahan, Corps of Engineers.
First Lieutenant Arthur C. Smith, Corps of Engineers.
Major Elliot Bigelow, Jr., Signal Corps.

To Fort Riley, Kansas:

Major Oliver B. Bridgman, Squadron A, Cavalry.
Captain Harry S. Richmond, Troop B, Cavalry.
Captain Edwin H. Tracy, 6th Battery, Field Artillery.
Captain John F. O'Ryan, 1st Battalion, Field Artillery.
Captain Arthur F. Townsend, Squadron A, Cavalry.
Captain Howard K. Brown, Troop D, Cavalry.
Captain Joseph I. Berry, 1st Battalion, Field Artillery.
Captain William R. Wright, Squadron A, Cavalry.
Captain Edward Olmsted, Squadron A, Cavalry.
First Lieutenant Ernest L. Miller, Troop B, Cavalry.
First Lieutenant Alfred Wendt, Squadron A, Cavalry.
First Lieutenant Frank B. Barrett, 1st Battalion, Field Artillery.
First Lieutenant Frank R. Outerbridge, Squadron A, Cavalry.
First Lieutenant Frank H. Hines, 1st Battalion, Field Artillery.
First Lieutenant William O. Richardson, 1st Battalion, Field Artillery.

- Second Lieutenant Harry S. Wills, Troop B, Cavalry.
- Second Lieutenant Albert W. Putnam, Squadron A, Cavalry.
- Second Lieutenant James H. Kenyon, 1st Battalion, Field Artillery.
- Second Lieutenant George O. Redington, Squadron A, Cavalry.
- Second Lieutenant Samuel E. McRickard, 1st Battalion, Field Artillery.
- Second Lieutenant Herbert M. Paul, 1st Battalion, Field Artillery.
- Second Lieutenant Joseph M. Meatyard, Troop D, Cavalry.

III. Funds available to cover expense of the service herein required are those derived from the United States under section 1661, Revised Statutes, and allowances will be governed by the provisions of the regulations of the War Department governing the organized militia. Pay of grade without service increase for a period not exceeding fourteen days and transportation including Pullman accommodation over shortest usually traveled route will be paid on proper voucher prepared on form 20, Militia. Officers will be guided by the desires of the War Department as expressed in communications of the Division of Militia Affairs under date of February 9 and 11, 1910, published in Circular 15, from this office, February 17, 1910, to which attention is invited.

By Command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....

Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *April 7, 1910.*

CIRCULAR, }
No. 24. }

The following Naval Militia Circular Letter No. 3 is published for the information and guidance of the Naval Militia of this State.

NAVAL MILITIA CIRCULAR LETTER NO. 3.

(AID FOR THE EXECUTIVE; DECK LOG; ENGINEER'S LOG.)

NAVY DEPARTMENT,
WASHINGTON, *March 15, 1910.*

There will be issued to all organizations, to which vessels have been assigned, the following books:

- Aid for Executive and Division officers.
- Deck Log Book, Form N. E. Q. No. 36.
- Engineer's Log Book, Form N. S. E. 69-a.

Aid for Executive and Division Officers.— This book is really a prepared watch, quarter, and station bill. It contains, also, the battalion bill, boat bill, messing bill, routine, etc.

To adapt this to any organization is relatively a simple matter. Its issue at this time is primarily for the benefits that will accrue in establishing uniformity among the vessels that will come together in the summer exercises, and for those who fall in with the Navy in other ways in the cruises alone or with the battle ships. It is very essential that one copy be filled out by the executive when he has prepared his station bill, that a copy of such station bill, duly approved and signed by the commanding officer, be forwarded to the Department.

It is strongly recommended that a copy of the ship's station bill, as above approved be prepared and kept in each line and engineer division. The names should always be written in lead pencil that the changes from day to day may be made, so that the station bill is correct. Each officer should have his own pocket station bill copied from the above, giving the names of the men under his immediate command in his division, boat, company, at arm and away, abandon ship, etc. It is customary, in certain particulars, for the division officer to assign his own men to their individual stations in many drills, in which case these stations should be given the executive to be placed in the ship's station bill.

Attention is especially invited to Part III, Memoranda, with reference to inspections. *Deck Log Book.*—The large form of Deck Log, used in the Navy on the larger classes of ships, is not a convenient form for the vessels of the Naval Militia that cruise for only a part of the year. Accordingly, there is issued the Torpedo Boat Log Book, which much more nearly fills the requirements. The keeping of this Log will serve as excellent practice for the officers of the watch. It is so divided up that only the pages for specific purposes need be used as required.

Page 55 (Condition of Hull and Equipments), if conscientiously filled out, will furnish a graphic account of the condition of the whole structure of the ship, with her equipment. Page 56 is a compilation from pages 64-93, and will supply valuable data.

Pages 60-63 should furnish data on the repairs, and give at a glance the availability and capacity of the ship's force and the Naval Militia force to effect repairs as the necessity for them occurs. There is no higher proof of the efficiency of a sea-going force than its ability to do things on its own resources—no higher compliment than to be called the "handy man."

Engineer's Log Book.—The remarks above concerning the Deck Log apply to the Engineer's Log.

Properly kept, as it is believed they can be without imposing undue "paper work" on the organizations, they furnish the most valuable proof of the activity of the organizations, and the best record of the condition of all parts of the vessel. This latter data is invaluable in preparing or acting on recommendations for repairs, docking, etc. Therefore, it is strongly recommended that the matter of these books be given serious attention; that the instructions for their use be strictly followed, and that they reach the Department on the dates prescribed.

Reports and Returns.—Navy Department General Order No. 3, January 2, 1909, gives a tabular list of reports and returns to the Department required to be made by ships in commission, etc. Pages 10, 11, and 12 of that order specify the reports and returns required to be made by torpedo boat destroyers, vessels of the auxiliary navy, etc. This list, as quoted below in part, will be made applicable to the vessels of the Naval Militia:

Reports to be sent in by the Commanding Officer of the vessel.

When to be sent.	Bureau sent to.	Subject.	Form.
1. When completed.....	Navigation.....	Smooth log (special form).....	.....
2. When occurring.....	Equipment.....	Survey and appraisal..	NM.a
3. In log book (special form for torpedo boats).....	Equipment.....	Electrical journal.....	.....
4. When condition is unsatisfactory.....	Equipment.....	Reports of electrical machinery.....	.....
5. When conditions is unsatisfactory.....	Equipment.....	Electric plant report...	.....
6. Quarterly.....	Condition and Repair..	Inspection of hull.....	.....
7. When occurring.....	Condition and Repair..	Survey and appraisal..	NM.a
8. When condition is unsatisfactory.....	Condition and Repair..	Condition of machinery in condition and repair.....	.....
9. Quarterly, or when completed.....	Steam Engineering.....	Steam log.....	69-a.
10. When occurring.....	Steam Engineering.....	Survey and appraisal..	NM.a
11. Annually, when changes occur or when going in or out of commission....	Ordnance.....	List of guns, mounts, and small arms.....	.....
12. When occurring.....	Ordnance.....	Special survey and appraisal.....	NM.a

^a Special.

Referring to special reports, form N. S. E. No. 1, Condition of Machinery in Steam Engineering; form N. M. No. 10 (S. E.), Quarterly Report of Inspection of Machinery in Steam Engineering; form N. M. No. 9 (C. and R.), Quarterly Report of Inspection of Hull,

486 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Steering gear, etc., form Ordnance No. 19, Quarterly Report of Condition of Armament, Small Arms, etc., and form N. Eq. No. 120, Quarterly Report of Electric Plant. The use of these forms by the Naval Militia, for submitting Quarterly Reports, is abolished for the present.

In lieu of forms N. S. E. No. 1 and N. M. No. 10 (S. E.), form N. S. E. No. 69-a, Engineer Log Book, will be used; in lieu of form N. M. No. 9 (C. and R.), Ordnance No. 19, and N. Eq. No. 120, and the Deck Log, form N. Eq. No. 36, will be used, except as stated below regarding reports covering unsatisfactory condition of the parts of a vessel. The Deck and Engineer Log Books will, for the present, be made to incorporate the data required by the reports under items 3, 4, 5, 6, 8, 9 and 11 of the above list.

These books will be carefully filled out on the pages prepared for this purpose, giving the condition of the parts of the ship covered by the above-mentioned reports. When the condition of any part of the ship or its equipment has become such as to require a report, that report will be made at once, either on one of the above-mentioned forms, or by letter. But it is believed that, if the Log Books are carefully kept in this particular, it is probable that no special reports will be required, and the Department, by an examination of Log Books, will be able to form a very correct opinion as to the condition of the ship.

Times of Sending in the Log Books.—The Engineer Log Book covers a period of three months; the Deck Log Book, six months. It will very much facilitate the making of repairs and the completing of equipments to have these Log Books begin with April 1 of each year. They should, therefore, be sent in promptly on April 1, and each quarter thereafter for the Engineer Log Book, and at the end of each six months for the deck log. Their arrival at the Department promptly on those dates will materially assist in the fitting out of the vessel for the season's work (April 1–September 30), and for the winter period of overhauling (October 1–March 31). The Smooth Log item No. 1 on list of reports above, should also be forwarded to the Department on the dates given above.

The surveys and appraisals, called for under items, 2, 7, 10 and 12, will be submitted as usual on Special Survey Blank, form N. M. No. 4.

It will be noted that the Deck Log Books at present issued to the Naval Militia vessels have no mark distinguishing them as Naval Militia Log Books. Slips are being printed with the wording "Naval Militia Log Book," and will shortly be forwarded to the various vessels to be used by the commanding officer in cancelling the wording "Torpedo Boat Log Book," now appearing on both the cover and title page of this book. It is urged that the commanding officer do not fail to paste these slips in their proper places on the books before they leave his hands for the Department.

Respectfully,
BEEKMAN WINTHROP,
Assistant Secretary.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 14, 1910.

CIRCULAR, }
No. 25. }

The following opinion of the Judge Advocate on the staff of the Major-General commanding the Division, which opinion is approved and concurred in, is published for the information and guidance of all concerned:

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

STEWART BUILDING, 280 BROADWAY,

NEW YORK CITY, April 11, 1910.

Adjutant-General, N. G. N. Y.:

SR.—An application to be placed upon the retired list on the ground of ten years' service has been made by an officer commissioned with rank from September 9, 1895, rendered supernumerary May 16, 1898, assigned to duty May 21, 1898, relieved November 21, 1898, and re-commissioned in the same grade October 17, 1902.

M. L. 82, provides that "Any commissioned officer who shall have served in the same grade for the continuous period of ten years * * * may upon his own request be placed upon the retired list and withdrawn from active service and command by the Governor." If in making up this period of ten years, time spent on the super-

numery list can be counted, the application in question should be granted, otherwise not.

The status of a supernumerary officer is defined in the M. L. 80, in these words: "Commissioned officers who shall be rendered surplus by reduction or disbandment of organizations or in any manner provided by this Chapter now or hereafter shall be withdrawn from active service and placed upon the supernumerary list. The Governor may upon the recommendation of the Major-General or the C. O. of the Naval Militia, respectively, detail supernumerary or retired officers for active duty in which case they shall rank in their grade from the date of such detail and he may relieve them from such duty and return them to their respective supernumerary or retired list at his discretion."

Such officers, therefore, retain their commissions and they are expressly enumerated in M. L. 30, as a part of the Military forces of the State. Their position was definitely passed upon by the Court of Appeals in *People ex rel. Leo. v. Hill*, 126 New York 497, in which Andrews, J., delivering the opinion of the court said, (p. 502):

"An officer rendered supernumerary by the disbandment of the organization in which he holds command does not thereby lose his rank or commission. He is relieved from active service until he shall be assigned to duty again by the Commander-in-Chief or is appointed or elected to another command."

The essential point so far as the present inquiry is concerned is that supernumerary officers are "withdrawn from active service."

The word "service" in a general sense means "the rendering of duty." "The Ritz, 89 Fed. Rep, 766." In a military sense it has been defined as the "performance of military duty" — "actual service in the exercise of military functions" (*Farral Mil. Ency.; Scott Mil. Dict.*).

Under Section 263 of the M. C. of 1870, certain exemptions were given to an officer "during the time he shall perform military duty." It was held by the then Judge Advocate General, and his opinion was adopted and officially promulgated (G. O. 25, A. G. O., 1873) that a supernumerary officer was not entitled to these exemptions as he was not performing duty.

When in 1894 the decoration for long and faithful service was authorized, the second paragraph of the order creating it contained these words "provided that in the computation of time service as an unassigned supernumerary officer or as an officer on the retired list shall in no case be considered." (G. O. A. G. O. 1894). When the provisions as to this medal were incorporated in the R., this language was carefully preserved. (O. D. 431, 434).

It has, therefore, been the policy of the State settled for many years past not to regard service on the supernumerary list as a proper basis for awarding privileges or rights based on length of service.

In *People v. Turner*, 10 Hun 146, the relator had been expelled from his company when he had yet one year to serve before completing his term of enlistment. He waited more than a year before applying for a mandamus to restore him and Davis, P. J. delivering the opinion of the Court, sustaining a refusal of the writ, said (p. 147):

"What the statute requires is actual and not constructive service. It is impossible to say that the relator has rendered actual service and the great lapse of time has occurred by reasons of his neglect to institute proceedings for his reinstatement forthwith after his illegal expulsion."

So, where an officer claimed commutation for quarters or fuel under a Regulation authorizing the same upon an exchange from one post or station to another, the Supreme Court held that while the word "station" might be applied to the place of an officer's residence, it has not in that sense used in the Regulation, which intended to authorize the commutation only in cases where the performance of duty was required. (U. S. vs. *Plisterer*, 94 U.S. 219).

So, where an exemption from jury duty was sought under a statute awarding the same to "members" of the Militia, the Court ruled that "Honorary members" were not within the statute saying, "the actual service rendered and skill acquired by the regular members is the foundation of the exemption from road, patrol, and jury duties." (*Stewart v. State*, 23, G. a. 181).

These are but instances of the general rule of statutory interpretation that a case is not covered by a statute merely because it is within its literal reading. It must also come within its spirit and intent.

The language of M. L. 82, read carefully is entirely consistent with and in fact emphasizes the distinction between actual and constructive service. It first speaks of ten years' service, and then of withdrawal from "active service." The intent of the section is plainly to require not only the holding of a commission for ten years continuously, but being in active service as distinct from on the retired or supernumerary list.

I am, therefore, of the opinion that the words "served in the same grade for the continuous period of ten years" require continuous active service for that period as a condition precedent to the granting of an application to be placed upon the retired list. In the case submitted, such service is not shown, and, therefore, the application cannot be granted.

Respectfully,
WM. W. LADD,
Judge Advocate.

By command of the Governor,
NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 16, 1910.

CIRCULAR, }
No. 26. }

The following is published for the information and guidance of all concerned:

I. Field service of the following organizations of this State will be held at Pine Plains, Jefferson county, in accordance with subsequent orders to be issued from this office:

First Brigade (lacking Seventh Infantry), August 1 to 10, 1910, inclusive.

Second Brigade, August 11th to 20th, inclusive.

II. Commanding officers will be governed strictly by the provisions of paragraph 185 of the Militia Regulations, as amended by Circular 2, Division of Militia Affairs, War Department, January 27, 1910, relating to the necessity for at least three months' prior service or equivalent instruction.

By command of the Governor,

NELSON H. HENRY,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK.

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 16, 1910.

CIRCULAR, }
No. 27. }

The following opinion of the Attorney-General of the State is published for the information of all concerned:

STATE OF NEW YORK,
ATTORNEY-GENERAL'S OFFICE.

EDWARD R. O'MALLEY,
Attorney-General.

ALBANY, April 13, 1910.

HON. NELSON H. HENRY, Adjutant-General of the State of New York,
Albany, N. Y.

DEAR SIR.—I beg to submit my opinion requested by you in your communication of February 10, 1910, in relation to the following two questions:

First: As to the authority of the Governor to order the militia of the State outside its territorial limits for the purpose of taking part in military maneuvers for drill and instruction.

Second: As to the power of military tribunals of this State to inflict punishment for offenses committed by members of the organized militia outside the State when under orders of the Governor.

I will consider these questions in their order.

Article IV, section 4, of the State Constitution, provides:

“The governor shall be commander-in-chief of the military and naval forces of the State.”

Article XI, sections 1 to 6, contains provisions in relation to the State militia. Section 1 provides what citizens shall constitute the State militia, and by section 2 the Legislature may provide for such other persons as may make application to be enlisted; section 3 provides for the organization of the militia and its divisions into land and naval and active and reserve forces *by the Legislature*, and further provides that the Legislature make sufficient appropriation for its maintenance; sections 4, 5 and 6 relate to the appointment, election and removal of the military officers of the militia.

These are the provisions of the State Constitution in relation to the military forces of the State.

In considering these questions it is to be observed that there is involved not the powers of the Governor as the executive of the civil government of the State, but his powers as military commander over the organized military forces of the State. His relation to the organized military forces of the State as its commander-in-chief is somewhat different than his relation to the citizens of the State as their executive. The rules of law and construction applicable to his powers as executive may not be applicable to his powers as commander-in-chief by reason of the inherent nature of his military office.

The Governor's powers as commander-in-chief are nowhere defined in the Constitution. He, therefore, must be held to have the powers incident and inherent in such military office with power to make such orders as will insure the best efficiency and discipline of the military forces under his command, limited, of course, by the other provisions of the Constitution as well as by our form of government.

This view of the implied powers of a commander-in-chief under our form of government is confirmed in Winthrop in his *Military Law and Precedents*, Vol. 1, Second Edition, in a very excellent treatment at pages 65 to 72. Speaking of the inherent power of the president, without legislative enactment to order court-martials, he says at page 69:

“Upon the adoption of the constitution and the division of the powers of the government, the executive power, previously exercised by Congress, was transferred to the President, and with it the function of commander-in-chief. This function was not defined by the constitution. To it, therefore, were properly to be regarded as attached (with such modifications as the new form of the government required) the powers originally vested in Congress and delegated by it as above indicated to the commander-in-chief of its army, and which had been exercised by the latter up to this period. Among those powers was the

authority, properly incident to chief command, of issuing, to subordinates and the army at large such *orders* as a due consideration for military discipline might require." * * *

The language of the court in *People vs. Ewen*, 17 How. Pr. 375, is also very pertinent. In this case the legal right of the Governor, as commander-in-chief, to consolidate companies and regiments was disputed. At page 377 the court said:

"It may be plausibly contended that this is a right inherent in his command. Without it, could any military force be rendered efficient, particularly in a period of disturbance, riot or insurrection? * * * If, then, at a period of actual service such an authority is necessary, why should it not be necessary at a period of public tranquillity? It is a common observation that the best way to avoid war is to be properly prepared for it. And is it not the best way to avoid internal disturbance to have the military force so prepared in discipline and organization, and in suitable combinations, as that it shall be able to act with the greatest possible efficiency and dispatch?"

That the Legislature has passed certain acts in relation to the rendezvous of the State troops or in relation to camp service or the service of the naval militia can in no way nullify by implication the constitutional powers of the Governor as commander-in-chief.

The taking part in military maneuvers for drill and instruction by our military forces would undoubtedly be for the good and welfare of the service and increase its efficiency and discipline. Therefore, there being no constitutional inhibition, either express or implied, the Governor, as commander-in-chief, has the power to order the military forces under his command to take part in such maneuvers without the State, provided, of course, that permission of the sovereign authority of the foreign country has first been obtained.

In regard to the authority of the Governor to order the militia outside of the territorial limits of the State for the purpose of taking part in military maneuvers with the regular army of the United States, special considerations support the power of the Governor.

The Constitution of the United States by article 1, section 8, paragraph 16, provides:

"The Congress shall have power: * * * to provide for organizing, arming and disciplining the militia and for governing such part of them as may be employed in the service of the United States; reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

Under this section of the Constitution Congress passed a comprehensive act in relation to the militia, entitled "An act to promote the efficiency of the militia and for other purposes." (Act of January 21,

1903, chapter 196, 32 Stat. L. 775.) By section 15 of that act it is provided:

“That the Secretary of War is hereby authorized to provide for participation by any part of the organized militia of any State or Territory on the request of the governor thereof in the encampment, maneuvers, and field instruction of any part of the Regular Army at or near any military post or camp or lake or sea-coast defenses of the United States.” * * *

There was a recognition of the provisions of the aforesaid act of Congress of 1903 by the Legislature of our State in the enactment of the Military Law, chapter 231, Laws 1908 (now chapter 41 of the Consolidated Laws). By this law the organization, armament and discipline of our organized militia were conformed to that prescribed for the regular and volunteer armies of the United States. This was done pursuant to section 3 of the aforesaid act of Congress.

Under this act of Congress, therefore, the Governor, in addition to his constitutional powers as commander-in-chief, has warrant for ordering the troops to participate in these maneuvers with the regular army where such participation is requested by him.

Your second question relates to the power of military tribunals of this State over the organized militia outside the State when under orders of the Governor.

Military tribunals are in their essential nature different from our civil or criminal courts created for the administration of justice in our civil government. They are in fact simply instrumentalities of the executive power provided by the Legislature for the Governor as commander-in-chief to aid him in properly commanding our military forces and enforcing discipline therein.

Winthrop's Military Law, Vol. 1, Second Edition, pages 53 and 54.

Military tribunals have, therefore, as their basis the enforcement of discipline in a military organization. They are, as we have seen, an inherent power of the commander-in-chief. The principle of territoriality, therefore, applicable to civil courts, cannot, in the nature of things, be applicable to military tribunals. Every member of a military organization lawfully in service under orders of his commander whether within or without the borders of the State, must necessarily be subject to court-martial in order that the integrity of the organization be maintained. This is amply confirmed by the regulations and usage of the United States army.

See the Military Laws of the United States prepared under the direction of the Honorable Elihu Root by Brigadier-General George B. Davis, Advocate-General, United States army. At page 686 appears this statement:

“The jurisdiction over persons in the military service covers all military offenses committed by them, whether within or beyond the territorial jurisdiction of the United States. Military offenses are not territorial. (Manual for Courts-Martial, p. 14.)

"The jurisdiction of courts-martial is nonterritorial. In a case of an officer who exhibited himself in a drunken condition at a public ball in Mexico, held that his offense was cognizable by a court-martial of the United States, subsequently convened in Texas by the department commander. This for the reason that the military jurisdiction does not recognize territoriality as an essential element of military offenses, but extends to the same wherever committed, a principle which is amply confirmed by the comprehensive provision of the Sixty-fourth Article of War. See Dig. Opin. J. A. G. par. 169."

By section 13 of the Military Law of this State (chap. 41, Laws of 1909), it is provided that when the militia are on duty under orders of the Governor, "the articles of war governing the army of the United States, * * * and the regulations prescribed for the army and navy of the United States, so far as such regulations are consistent with this chapter and the regulations issued thereunder, shall be in force and regarded as part of this chapter until said force shall duly be relieved from such duty." Also, section 256 of the same law provides that

"All matters relating to the organization, discipline and government of the National Guard and Naval Militia, not otherwise provided for in this chapter or in the general regulations, shall be decided by the custom and usage of the United States army and navy respectively."

It is, therefore, my opinion that the Governor has authority to order the militia of this State outside its territorial limits for the purpose of taking part in military maneuvers for drill and instruction, and that the military tribunals of the State have the power to inflict punishment for offenses committed by members of the organized militia outside the State when under orders of the Governor.

Respectfully,

(Signed.) EDWARD R. O'MALLEY,
Attorney-General.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 18, 1910.

CIRCULAR }
No. 28. }

The following is published for the information and guidance of all concerned:

I. Field service of the following organizations of this State will be held at Pine Plains, Jefferson County, in accordance with subsequent orders to be issued from this office:

August 1st to 10th,—Troops B and D, Cavalry,
1 Battalion, Corps of Engineers.

August 11th to 20th,—Squadron C, Cavalry,
6th Battery, Field Artillery,
1st Company Signal Corps.

II. Commanding Officers will be governed strictly by the provisions of paragraph 185 of the Militia Regulations as amended by Circular 2, Division of Militia Affairs, War Department, January 27, 1910, relating to the necessity for at least three months' prior service or equivalent instruction.

By Command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK.
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 21, 1910.

CIRCULAR, }
No. 29. }

The following extracts from "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA
AFFAIRS, WAR DEPARTMENT.

March 31, 1910.

Whenever field telephones become unserviceable they should be examined by some person familiar with telephone trouble and a report submitted as to the nature of the unserviceability. When the defect is in some certain part, it is customary to send a new part from one of the Signal Corps property depots to replace the defective part, which is returned to the depot. In case of extensive damage, broken or corroded interior due to a fall or becoming wet, it will be necessary to return these telephones to the manufacturer for repair, in which event the name of the manufacturer and serial number of these telephones should be reported to the Chief of the Division of Militia Affairs.

The Ordnance Department will furnish to all batteries of Field Artillery, both in regular service and militia, two kit wagons, complete, with harness, when a satisfactory type shall have been developed, and manufacture shall have been completed. A type wagon is now being tried by the Field Artillery Board.

The following letter has been written to the Adjutant-General of a State, returning a report of survey on certain quartermaster's supplies, which was not prepared and submitted as required by the regulations governing the Organized Militia:

I am instructed by the Assistant Secretary of War to return herewith copy of a report of survey on certain quartermaster's supplies pertaining to the Organized Militia of the State of _____, recently received in this office, which is signed by the Governor of the State as the responsible officer, and to inform you that this report of survey has not been prepared and submitted as required by paragraphs 49 to 55, inclusive, of the Militia Regulations, in the following particulars:

1. The property was not submitted for the action of the surveying officer at the time the loss or unserviceability was first discovered. (Paragraph 49, Militia Regulations.)
2. The proceedings of the surveying officer are not in triplicate. (Paragraph 50, Militia Regulations.)
3. The affidavits of the responsible officers as to the circumstances occasioning the loss or unserviceability are not included in the survey proceedings. (Paragraph 55, Militia Regulations.)
4. The report of the surveying officer does not show that he has made a full investigation of the matters submitted to him. (Paragraph 54, Militia Regulations.)

It is supposed that all of the unserviceable property covered in this report has been turned in to the State arsenal by the commanding officers of the various units of the Organized Militia of _____ to whom it was issued by the State authorities for the use thereof.

Paragraph 55 of the Militia Regulations provides that,—

Officers responsible for public property will in all cases furnish original affidavits or the testimony of the witnesses upon which they rely to relieve them from responsibility, and the proper number of duly attested copies of such affidavits should accompany the reports.

Therefore, whenever officers who are responsible for United States property turn in unserviceable articles to the State arsenal, they should be required to furnish affidavits setting forth the facts which account for the condition of the property. In addition to the affidavits of responsible officers, the surveying officer should elicit all possible evidence from other witnesses, and this evidence, in synopsis form, should be incorporated in or attached to the proceedings. Should it be impracticable to secure evidence as to the causes of the unserviceable condition of the property required by the paragraph of the Militia Regulations cited, this fact should be set forth in the proceedings.

All reports of survey should be made on Form No. 16, Division of Militia Affairs.

In this connection it is desired to invite your attention to the following criticism of the report of survey which is inclosed herewith:

There are —— pairs of leggings, canvas, reported as having been worn out and destroyed as unfit for further service. Paragraph 52 of the Militia Regulations provides that the Secretary of War will direct what disposition shall be made of unserviceable or unsuitable property. Therefore, the action reported as taken was without warrant of law. As these articles have been illegally destroyed, it will be necessary either that they be replaced by purchase from State funds, in accordance with the provisions of section 17 of the Militia Law, or that a satisfactory explanation be made in the survey proceedings as to the necessity for their destruction prior to having secured the authorization of the Secretary of War, otherwise, under the law, the money value thereof will have to be charged against the allotment to the State of —— under section 1661, Revised Statutes, as amended.

Property which has been purchased from State funds to replace such as has been lost, destroyed, or worn out in the service, should be treated in the same manner as property issued by the United States for the use of the Organized Militia. Therefore, the articles reported under the caption of "Worn out, replaced by others by purchase from State funds," should be eliminated from the surveying officer's record of proceedings of the survey.

The statement of the responsible officer that —— pairs of chevrons, service, were expended and worn out is not understood. If any or all of the chevrons have been lost or destroyed the affidavit of the responsible officer should show that fact. If the chevrons are on hand and unserviceable the affidavit of the responsible officer should state that they are "Unserviceable" and so rendered through fair wear and tear in the military service, or otherwise as the case may be.

It is suggested that, when maps of the United States are desired, application be made to the Secretary of the United Interior, and that when State maps are desired, application therefor be made to the Director, U. S. Geological Survey, Washington, D. C.

The appropriation provided by the Act of May 27, 1908, is available only for procuring and issuing to the Organized Militia such military stores and supplies as are authorized for issue to the Regular Army. No part of the appropriation can be drawn in cash either for promotion of rifle practice or for any other purpose.

April 7, 1910.

The following letter has been transmitted to the Adjutant-General of a State, in connection with a reference made by him to a paragraph in the Bulletin of Militia Notes issued by this Division on March 17, 1910, stating that the Donavin Field Range is no longer an article of issue to the Regular Army or to the Organized Militia, and answering his inquiry as to whether the use of "The No. 1 Standard Field Range," manufactured by the Quad Stove Manufacturing Company, would be acceptable to the Department:

"The Donavin Field Range weighs 388 pounds and has a cooking capacity for 75 men only. To provide sufficient cooking apparatus for an infantry organization of 111 men, it would require two of these ranges, for that the entire cooking equipment for an entire organization in war service would weigh over 700 pounds, which is about one-fourth of the total carrying capacity of the one wagon allowed for an infantry company. On this account, and because it was found in actual practice that when organizations were ordered into camp it was the custom to send them their field cooking devices by freight, also because of frequent criticisms on the part of Inspectors-General of the unsuitability of the equipment, the whole matter was referred to a combined Board made up of the Infantry Equipment Board and a Commissary Board, which went into the matter very thoroughly, and, after a year of experimentation, selected a type of range which has been approved by the Secretary of War.

"The new model has a capacity sufficient to provide for 111 men and with its new equipment weighs 205 pounds, is 32" x 24" x 16". This range can, if necessary, be carried on the back of a mule, or the utensils can be taken out and carried by the cooks.

"The Quad Stove Manufacturing Company, referred to as having been awarded the contract for making the new model range, are in possession of the specifications and blue prints and can turn out any number of ranges desired.

"If it is desired to continue the use of the improved Donavin Range, such use would be acceptable to the War Department."

The authority conferred on the Governor of a State or Territory by Circular, No. 7, War Department, February 10, 1910, to appoint an officer to sign receipts for United States property which may be issued to the Organized Militia thereof, does not extend to the signing of property returns at the end of the year. The Governor is required by law to sign the annual returns of United States property in the possession of the Organized Militia.

April 13, 1910.

The Chief of the Division of Militia Affairs, under date of March 11, 1910, informs the Adjutant-General of a State that the enlisted strength of a battalion of field artillery should include:

1. Musician, for the battalion commander;
2. Privates, for the battalion commander's reel and instruments; and
2. Mounted orderlies,

all of whom should be carried on the rolls of the battalion headquarters, making the minimum enlisted strength of a battalion of field artillery 406.

In reply to the request of an Adjutant-General of a State for the views of the Department with regard to the enlistment of members of the Organized Militia in the Regular Army, attention has been called to the provisions of Circular, No. 62, War Department, July 27, 1908, as follows:

"The attention of all recruiting officers is called to the provisions of paragraph I, Circular, No. 13, Headquarters of the Army, Adjutant-General's Office, March 30, 1903, forbidding the enlistment in the Regular Army of a man who has been a member of the National Guard of a State or Territory until he presents satisfactory evidence that he has been honorably discharged therefrom.

"It is further ordered that in no case shall an applicant known to be a member of the National Guard be accepted at a recruiting station with a view to enlistment. Recruiting officers will question carefully all applicants regarding membership in National Guard organizations, and will require those who acknowledge themselves to be or to have been members of such organizations to exhibit their discharges therefrom before accepting them."

There will be no revolvers available for issue to the Militia before the first of June. Those now in the possession of the Department will be overhauled and put in shape for issue and as soon as this overhauling shall have been completed, all requisitions now pending will be filled.

In reply to the request of the Adjutant-General of a State as to whether it will be satisfactory if a payroll is prepared for the officers of each regiment, attending the annual camp of instruction for infantry officers, containing the names of the officers attending the camp, and this certified to by the senior officer of the regiment on duty at the camp, also whether it will be a proper expenditure from United States funds to pay for transportation of cooks and servants to this camp for the purpose of conducting regimental messes; also whether it will be necessary for the officers to ship tentage, field range and mess equipment for the officers, and whether the cost of transportation of such tentage, etc., would be a proper charge against United States funds, the following information has been transmitted:

"A payroll, prepared and certified to in the manner indicated, will be satisfactory to this office.

"No provision being made for the expenses in connection with the transportation to camps of instruction of other than officers and enlisted men, the cost of transportation of servants and un-enlisted cooks cannot be paid from the funds appropriated by section 1661, Revised Statutes, as amended.

"Transportation of rations, tentage, bedding, field range, and mess equipment for the officers being absolutely necessary, the cost of hiring such transportation constitutes a proper charge against the State's allotment. Therefore, when the expenditure is reasonable and necessary, the same will be allowed."

In reply to a request for information as to whether it is necessary to have estimates for pay, transportation, etc., forwarded in connection with the location of a camp of instruction for officers of infantry, and, if so, whether the Governor should at the same time make requisition for the necessary funds to be placed to the credit of the disbursing officer, the Adjutant-General of a State has been advised that paragraph 70 of the Militia Regulations requires that requisitions for funds to be placed to the credit of a disbursing officer must be accompanied by an approximate estimate covering the purpose for which the funds are desired.

Unless there are funds from existing appropriations to meet the rental of land for rifle range purposes for the entire period of the lease, a stipulation should be inserted in the lease to the effect that its continuance beyond one year is conditioned from year to year upon future appropriations from which the rent can be paid.

April 20, 1910.

In connection with the accounts of the disbursing officer of a State, a special order directing the making of a test ride was transmitted to the Auditor for the War Department. Under authority of this

order payment was made to two officers participating in the test ride. The question arises as to whether the test ride provided for in the special orders noted above constitutes actual field or camp service for instruction within the meaning of section 14 of the Act of January 21, 1903, and the Department is of the opinion that, inasmuch as the duties performed by the officers engaged in the test ride were identical with those which they would have performed in field service, the service in question constituted "actual field or camp service for instruction" within the meaning of section 14 of the Militia Law.

The following opinion of the Judge Advocate-General has been rendered in connection with the desire of a State to lease the State rifle range for pasture purposes:

"I know of no authority for the leasing of such ranges other than that contained in the Act of July 28, 1892 (26 Stat., 321), which authorized the leasing of property under the control of the War Department which may not for the time be required for public use, and for the leasing of which there is no authority under existing law—such leases to be reported annually to Congress. This range was purchased from appropriations made by Congress for the use of the militia of the State as a rifle range, the title thereto being in the United States. While the range is under the immediate control of the militia of the State, it may be regarded also as under the general supervision of the War Department; and I am of the opinion that the Secretary of War may authorize its lease by the proper militia officers of the State under such conditions as will not interfere in any way with the use of the range for the purposes for which acquired. As the rent would be received for the lease of Government property, it would belong to the United States, and should be deposited to the credit of miscellaneous receipts. It would, however, be legal for the militia officer to authorize the use of the range, under a revocable license, for the purposes in question, and conditions might be imposed requiring the licensee to do certain work, under the supervision and to the satisfaction of the militia officer, in the nature of betterments of the range."

State transportation requests should be used in arranging for transportation of officers attending camps of instruction for officers, and the State disbursing officer will make the payments therefor.

A disbursing officer appointed under section 14 of the Militia Law is entitled to pay for duty performed as follows:

1. If he participates in field service as a part of the Organized Militia engaged therein, he is entitled to the pay of his grade for the time engaged in such field service;

2. If he participates in field service solely for the purpose of paying the troops engaged therein, he is entitled to pay only for the time occupied in making such payments; and

3. For the time after each encampment during which he was actually engaged in preparing his accounts for rendition to the War Department, *not to exceed twenty days.*

The voucher for payment for services in the preparation and rendition of accounts for field service should be submitted with the first monthly account rendered after the completion of that duty. The voucher should be supported by a certificate of the Governor that the time for which pay is claimed was necessary to the preparation and rendition of the accounts.

A disbursing officer is not entitled to any pay for services rendered in connection with the disbursement of funds for the promotion of rifle practice, nor for the preparation and rendition of monthly accounts of such disbursements; this in accordance with the terms of a decision rendered by the Comptroller of the Treasury under date of November 25, 1908.

Revised editions of Ordnance Department pamphlets Nos. 1789 and 1889, "Price List of Small Arms and Hand Arms, Small Arms Ammunition, Personal Equipments of the Soldier, Horse Equipment, etc.," and "Price List of Ordnance and Ordnance Stores comprising 3-inch Field Guns, etc.," respectively, are now ready for distribution.

On April 14, 1910, the Senate passed House Bill No. 22,846, amending section 15 of the Militia Law, making available for the payment of expenses of the militia participating in joint camps of instruction with the Regular Army the appropriation "Arming and Equipping the Militia," provided for by section 1661 of the Revised Statutes, as amended. This action, following similar action by the House, removes the prohibition imposed by the Comptroller of the Treasury against the use of these funds for paying any part of the expenses of the militia when engaged in joint camps of instruction or coast defense exercises with the troops of the Regular Army.

On April 15, 1910, the Senate passed House Bill No. 22,859, amending section 15 of the Militia Law, which provides for the payment

of accounts which are outstanding, some of which were disallowed by the Treasury Department in accordance with the decision of the Comptroller of the Treasury, that funds allotted under section 1661, Revised Statutes, as amended, were not available for use in connection with expenses of militia participating in joint encampments, in view of the provisions of section 15 of the Act of January 21, 1905, as amended by the Act of May 27, 1908. Requisitions for funds to liquidate the accounts referred to may, therefore, be submitted, and the same will be approved by the Department.

No general revision of the Army Regulations is in contemplation by the Department.

"Regulations for Saber Exercises, 1908," is available for issue to cavalry troops of the Organized Militia. Requisitions therefor should be made in the usual manner, either as a charge against funds allotted under section 1661, Revised Statutes, as amended, or as a purchase for cash in accordance with the provisions of section 17 of the Militia Law. The cost of this publication is 22 cents a copy.

If a disbursing officer is placed on duty by verbal orders of the Governor to attend camps of target practice, for the purpose of paying the troops participating therein, he is entitled to pay for the time during which he was engaged in such duty and for such time after the conclusion of the service as may have been necessary for the preparation and rendition of his accounts to the War Department, not to exceed twenty days.

In preparing the voucher for the payment of the disbursing officer, a certificate should be attached to the effect that the service was performed under verbal orders of the Governor, and another certificate by the Governor showing the number of days which he considered necessary for the preparation and rendition of the disbursing officer's accounts after the completion of the service.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 23, 1910.

CIRCULAR, }
No. 30. }

The following is published for the information and guidance of all concerned:

The following instructions relative to the inspection and repair of field artillery material issued to the organized militia (G. O., No. 22, War Department, Washington, February 8, 1909), will be strictly complied with:

“Whenever the material of a field battery, or parts thereof, including range-finding instruments, harness, and equipments, are in need of repairs requiring the services of skilled mechanics of the Ordnance Department, the commanding officer of the battery will submit, through military channels, to the governor of the State or Territory, or to the commanding general of the militia of the District of Columbia, a report describing in detail the character and extent of the repairs required and the cause of the damaged condition of each article. The governor of the State or Territory, or the commanding general of the militia of the District of Columbia, if the making of the repairs is approved by him, will forward the report to the Secretary of War, requesting that the repairs be made by the Ordnance Department, and their cost charged to the allotment of the State or Territory or the District of Columbia, under section 1661 of the Revised Statutes, as amended. Upon receipt of such request, approved by the Secretary of War, the Chief of Ordnance will cause the repairs to be made, and upon their completion will report the cost thereof to the Secretary of War. The cost of transportation of material, tools, and supplies required in making the repairs will be reported to the Secretary of War by the Quartermaster-General of the Army.”

Commanding officers of field batteries are directed to take no action until the receipt through the channel of specific instructions from the Chief of Ordnance, War Department.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, April 29, 1910.

CIRCULAR, }
No. 31. }

The following opinion of the Judge Advocate on the staff of the Major-General commanding the Division, which opinion is approved, is published for the information and guidance of all concerned:

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

STEWART BUILDING, 280 BROADWAY,

NEW YORK CITY, April 26, 1910.

Adjutant-General Division, N. G., N. Y.:

SIR.—An opinion is requested as to whether the members of * * * , who were army employees and who were on duty at * * * in aid of the civil authorities are entitled to pay for their services in both capacities.

M. L. 189 provides that army employees "shall receive compensation for the time *actually and necessarily employed in their duties* to be fixed by the officer appointing such persons" within certain limitations specified in that section.

M. L. 211 provides that "All officers and enlisted men while on duty or assembled therefor * * * whenever called upon in aid of civil authorities shall receive the pay set forth in Section 210 of this Chapter," and by the latter section pay is given "for every day actually on duty."

As the army employees in question served as members of the Company in aid of the civil authorities they are entitled to the pay authorized by law for the days that they actually did duty or were assembled therefor.

Army employees do not receive a weekly, monthly or yearly compensation. Their compensation is made for each day's service and the Act is explicit that they can only receive compensation for the time "*actually and necessarily employed in their duties.*"

A man cannot be said to be either actually or necessarily employed as an armorer or janitor or in any other capacity as an army employee, when he is absent from the army and doing duty as an enlisted man.

In the present case the army employees are entitled to receive such pay as may be due to them as enlisted men, but they are not entitled to receive any compensation as army employees for the days for which they receive such pay.

Respectfully,

WM. W. LADD,
Judge Advocate.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,ALBANY, *May 5, 1910.*CIRCULAR, }
No. 32. }

The following Naval Militia Circular Letter No. 5 is published for the information and guidance of the Naval Militia of this State.

NAVAL MILITIA CIRCULAR LETTER No. 5.

CLASSIFICATION OF NAVY STORES AND MATERIAL — USE OF BOOK IN PREPARING REQUISITIONS AND REPORTS OF BOARDS OF SURVEYS.

NAVY DEPARTMENT,

WASHINGTON, *March 25, 1910.*

SIR: The Department has to-day directed the issue to the Adjutant-General of each State having Naval Militia one copy of the Classification Book of Navy Stores and Material Form No. 132-S. and A., and to each of the commanding officers of battalions and isolated divisions, two copies of this book, the same being forwarded direct to such officers.

It will be noted that the articles of stores and material are arranged alphabetically, the class, title, and the Bureau of Bureaus in which used being shown for each item.

Each organization is urged to consult this book in the preparation of requisitions on the Department for stores and material. No one requisition should call for items under more than one Bureau or more than one title. For instance, one requisition should call for only Title Y items under the Bureau of Construction and Repair; another, only Title B items under the same Bureau; still another to cover Title Y items under the Bureau of Steam Engineering, etc. Where an article is carried in the Classification Book under two or more Bureaus, the use for which required will determine the Bureau under which to be requisitioned, whether in the steam engineering department or any other department of the ship.

The requisition blank at present in use by the Naval Militia is being revised, and when the new form is ready for distribution, its use in connection with the Classification Book will be explained in a subsequent circular letter.

All lost or damaged articles under Title B must be surveyed before disposition of same can be made. (See U. S. Navy Regulations, edition 1905, art. 1364.) Separate reports of survey should be prepared to cover items under the cognizance of each Bureau. When it is desired to replace Title B articles which have been surveyed, a requisition covering same should be prepared in the usual way; the fact that the articles requested are to replace similar articles surveyed to be noted on the face of the requisition. If possible, a requisition should accompany the survey covering the articles to be replaced. The Department urges that the data called for by the several columns on the survey blank be filled in for each item, in order that the report may be intelligent and may be acted on without further reference to the State.

Each officer, on receiving his copy of the Classification Book, should enter therein the following corrections, which have been made since the book was published:

- Page 10 — Basins, wash, stateroom, class 62, should be class 30.
- 31 — Couplings, hose, pipe, strike out the word " pipe."
- 33 — Cuspidors, class 62, should be class 12.
- 34 — Add carafes, toilet; class 30; Department; Construction and Repair; Title B.
- 39 — Drills, brace, heart, machine, ratchet, etc.; in column " Remarks " note that drills of $\frac{1}{2}$ -inch or under should be Title Y.
- 42 — Ewers, water, class 62, should be class 30.
- 53 — Guard fixtures, electric, should be Title Y.
- 60 — Hydrometers, should be Title Y.
- 93 — Points, glaziers', class 41, should be class 42.
- 105 — Add racks, comb and brush (lavatory board style); class 30; Department; Construction and Repair; Title B.
- 112 — Slop jars, class 62, should be class 30.
- 113 — Sockets, electric light, should be Title Y.
- 113 — Soap dishes, class 62, should be class 30.
- 118 — Steam tables, should appear under " Construction and Repair," instead of " Equipment."
- 123 — Tables, cooks, serving at galley, should appear under " Construction and Repair " only.
- 126 — Tooth mugs, trays, class 62, should be class 30.
- 126 — Towels and trowing should be Title Y.

Page 129 — Add tumblers, toilet; class 30; Department; Construction and Repair; Title B.
 133 — Valves, angle, back pressure, etc., should be Title Y.
 143 — Zincs, for outboard connections, class 17, should be class 12.

Respectfully,
 BEEKMAN WINTHROP
Assistant Secretary.

By command of the Governor,
 NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
 THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, May 6, 1910.

CIRCULAR, }
 No. 33. }

I. The following communication from the Division of Militia Affairs, War Department, Washington, is published for the information of all concerned:

WAR DEPARTMENT,
 DIVISION OF MILITIA AFFAIRS,
 WASHINGTON, April 28, 1910.

The Adjutant-General, State of New York, Albany:

Sir:—I am instructed by the Assistant Secretary of War to inform you that an ammonium solution for removing metallic fouling from rifle barrels is now being supplied to the regular service by the Ordnance Department and is, therefore, available for issue to the Organized Militia. The solution may be obtained upon requisition in the usual manner as a charge against funds allotted to the Organized Militia under Section 1661, Revised Statutes, as amended, or as a purchase for cash, in accordance with the provisions of Section 17 of the Militia Law.

The annual allowance of material for removing metallic fouling from small arms for one company of infantry in the regular service is as follows:

- 30 oz. ammonium per sulphate
- 15 oz. ammonium carbonate; and
- 180 oz. ammonia 28 per cent.

This quantity will provide for ten cleanings of each rifle.

The carbonate and per sulphate are purchased and will be furnished in bottles each containing 15 ounces. The ammonia will be purchased and issued in bottles containing 30 ounces. The price of these materials are as follows:

30 oz. ammonium per sulphate.....	\$1 00
15 oz. ammonium carbonate	24
180 oz. ammonia, 28 per cent	65

\$1 89

Full instructions for the preparation and use of the solvent are being printed and will be issued with the material.

Very respectfully,

(Signed) E. M. WEAVER,
Colonel, Coast Artillery Corps,
Chief of Division.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 6, 1910.

CIRCULAR, }
No. 34. }

I. The 14th Infantry will be excepted from the field service announced for the 2nd Brigade in Circular No. 26, April 16, 1910, from this office.

II. Squadron A, Cavalry, will be included among the organizations to be designated for field service at Pine Plains, New York, August 1 to 10, 1910.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 9, 1910.

CIRCULAR, }
No. 35. }

The following is published for the information of all concerned:

CIRCULAR, }
No. 6. }

WAR DEPARTMENT,
SIGNAL OFFICE,
WASHINGTON, April 8, 1910.

1. Paragraph 99, Signal Corps Manual No. 7, 1909 edition, is hereby rescinded.
2. Paragraphs 101 and 110, Signal Corps Manual No. 7, 1909 edition, are amended to read as follows:

101. *Field company.*— Will provide lines of information for tactical use during combat, maneuvers, rapid marches, etc. Each field company will be provided with suitable equipment to furnish communication by visual signaling, wireless telegraphy, and tactical field lines.

The following provisional organization for field companies is authorized under General Orders, No. 40, War Department, March 11, 1910:

PERSONNEL.	MATERIAL.	
1 captain.	4 wire carts.	} To be provided by the Signal Corps.
2 first lieutenants.	2 instrument wagons.	
2 master signal electricians.		
1 acting first sergeant.	60 riding horses.	} To be provided by the Quartermaster's Department.
1 supply sergeant.	16 draft horses for wire carts.	
1 mess sergeant.	16 draft mules and har- ness.	
1 stable sergeant.	6 pack mules and equip- ment.	
6 sergeants, first class.	2 escort wagons	
6 sergeants.	The necessary harness for wire cart teams and equipment for riding horses will be provided by the Ordnance Department.	
8 corporals.		
2 cooks.		
1 farrier.		
1 saddler.		
2 mechanics.		
2 wagoners.		
2 trumpeters.		
39 privates, first class, and privates (6 as drivers).		
Total: 3 officers (mounted) and 75 enlisted men (60 mounted).		

The acting first sergeants, supply sergeants, mess sergeants, and stable sergeants called for in the foregoing table of organization will be detailed to those positions from 1st class sergeants and sergeants, Signal Corps, by the company commanders. The farriers, saddlers, mechanics, wagoners, and trumpeters, will be similarly detailed from 1st class privates and privates, Signal Corps.

One civilian blacksmith (horseshoer) will be provided by the Quartermasters' Department for each field company.

The four wire carts (4-horse), the two instrument wagons (4-mule), and the six pack mules and equipment, referred to in the foregoing table, constitute the combat transportation of a field company of the Signal Corps.

110. The following equipment is authorized for field companies of the Signal Corps organized under the provisions of General Orders, No. 40, War Department, March 11, 1910. All equipment in excess of the allowance authorized herein will be promptly reported to the Chief Signal Officer of the Army. Requisitions will be submitted for deficiencies.

508 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Signal equipment for a field company of the Signal Corps as organized by General Orders, No. 40, War Department, 1910.

	Wire section.	Wireless section.	Company headquarters.	Total.
Axes	1	1		6
Axe helves, extra	1	1		6
Lineman's belts	1			4
Board, letter			3	3
Books, field message	15	15	10	100
Buzzers, cavalry	3			12
Buzzers, field	4			16
Candles	6	6	36	72
Charges, carbide	10		40	80
Cartridges, Very, red	10			40
Cartridges, Very, white	10			40
Cartridges, Very, green	10			40
Cells, dry, No. 4-0	20		80	160
Cells, dry, cavalry buzzers	3		24	36
Chest, post, tool			1	4
Chests, packing			2	2
Clamps, splicing, combination wire and sleeve			2	2
Climbers and straps	1			4
Compasses	1	1		6
Connectors, buzzer, Model A	7		12	40
Connectors, buzzer, studs, extra			40	40
Cord, Samson spot, $\frac{3}{8}$ -inch, pounds		1		15
Discs, cipher	2	2	3	15
Envelopes, field message	100	100	400	1,000
Glasses, field, Type A	2	1	2	12
Glasses, field, Type C			2	2
Grips, Buffalo, with pulleys			2	2
Handles, extra, for hatchets		2	2	10
Hatchets	1	2	2	10
Heliographs	1			4
Kits, inspector's pocket	3	3	2	20
Kits, flag, 4-foot	2			8
Kits, flag, 2-foot	2			8
Knives, brush-cutting	2	2	2	14
Knives, electrician's	8	8		48
Lanterns, candle	1	1	4	10
Lanterns, field, acetylene	1			4
Nails, assorted, pounds			25	25
Payout handles	2		2	10
Pikes, wire	5		5	25
Pencils, gross	1		1	4
Pistols, Very	1			4
Pliers, 8-inch	2	2		12
Reels, breast	2			8
Relays, pocket, 150-ohm	1			4
Rockets, sequence	1		2	10
Rockets, yellow smoke	2		2	10
Rods, ground	7			28
Soldering outfit			1	1
Spectacles, smoked	2		4	10
Tape, insulating, pounds	2	2		12
Telescopes	1		1	5
Voltmeters, pocket, 0-6	1			4
Wire carts	1			4
Wire, 11-strand, field, miles	7		12	40
Wire, buzzer, miles	4		4	20
Wire, outside twisted pair, feet			500	500
Wireless trunk sets		1		2
Wireless masts		1	1	3
Wireless hand generators		1		2
Wireless storage batteries		1		2
Wireless charging outfit			1	1

Each wire cart will be equipped with —

- 1 can, oil, steel, pint.
- 1 chisel, cold, 6-inch.
- 1 crank, reel-cart.
- 1 hammer, carpenter.
- 2 pads, hand, leather.
- 1 paulin.
- 2 pliers, side-cutting, 6-inch.
- 1 screw-driver, 6-inch.
- 1 wheel, spare.
- 1 wrench, alligator, 8-inch.
- 1 wrench, cart-wheel.
- 1 wrench, monkey, 8-inch.

JAMES ALLEN,
Brigadier-General,
Chief Signal Officer of the Army.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,
ALBANY, May 9, 1910.

CIRCULAR, }
No. 36. }

The following memorandum of instruction relative to subsistence, Headquarters Department of the East, is published for the guidance of the organized militia in all field movements other than those specifically directed under State supervision, and will be complied with unless amended or modified by orders or instructions from the Department of the East.

HEADQUARTERS DEPARTMENT OF THE EAST,

GOVERNORS ISLAND, NEW YORK CITY,

MEMORANDUM:

May 1, 1909.

The following memorandum of instruction prepared by the Chief Commissary, Department of the East, is published for the information of all concerned:

“SUBSISTENCE.

*Instructions and information in matter of encampment and man-
euvers, Organized Militia, 1909.*

Subsistence will be furnished by the Subsistence Department, U. S. Army, not to exceed in cost the sum allotted, as follows:

EN ROUTE TO STATION DESIGNATED.

From the time the Militia organizations shall start from the home rendezvous until time of arrival at camp, an expense not exceeding seventy-five cents per man per day is authorized for the purchase of cooked meals including liquid coffee, for enlisted men. The purchase of cooked meals as above should be made after advertising by circular letter sent to dealers and posted in public places, or, if conditions do not permit of advertising, in open market under paragraph 553, Army Regulations, the accounts to be prepared on Form 7, Subsistence Department (the voucher covering the travel period to show the number of men, organization to which they belong, and places between which, and dates when, travel was performed), certified by the officer procuring the meals, and sent through the post commissary at destination to the Chief Commissary, Department of the East, Governors Island, N. Y., for payment.

Organizations reaching destination at a late hour of the day should arrange in advance for the evening meal, either taking with them cooked lunch or providing through purchase or otherwise at destination. Detraining of troops and supplies, transfer to camp sites, establishment of camp and drawing rations, consume much time, too often resulting in a hasty and poorly cooked midnight supper and well founded discontent and needless hardship to weary and hungry men.

Coffee can be provided in a few minutes through arrangement with organizations already on the ground, but no other cooking should be attempted if possible to avoid the necessity therefor.

IN CAMP.

Rations will be issued to enlisted men only.

Arrangements will be made by the commissary at the post or camp for the supply of fresh meat, fresh bread, fresh vegetables, and ice. Ice is authorized for issue at the camp, but not for issue going to and returning therefrom. The sale of ice by the Subsistence Department is not authorized.

Subsistence stores in the commissary at rendezvous will be sold at cost prices to officers and enlisted men of the Militia, in reasonable quantities, as to officers and enlisted men of the Regular Army.

Immediately upon the arrival at post the commissary of the command should get in touch with the post commissary for instructions in the matter of rations, etc.

RETURNING TO HOME RENDEZVOUS.

For the journey to the home rendezvous, travel rations will be issued. The officer who procures the liquid coffee portion of the travel ration will prepare certified vouchers on Form 7, as in the case of meals, and send to the Chief Commissary, Department of the East, Governors Island, N. Y., for payment.

The combined cost of meals, rations, liquid coffee, commutation of rations for sick in hospital, and any other authorized purchase, must not exceed the allotment made. Any expense for subsistence in excess of the allotment must be borne by the State, or the organization incurring the same.

The authorized allowance for liquid coffee is seven cents per man per meal, i. e., twenty-one cents per man per day for the actual number of days traveling.

Vouchers sent to the Chief Commissary for payment must be complete as to all data required, must be made out and signed in ink, and, if practicable, free from alterations and erasures of any kind. Any erasures or alterations must be certified to by separate signatures of the person signing the certificate.

A report, showing number of pints of coffee, and other data above mentioned, should be forwarded direct to the Chief Commissary by each officer issuing vouchers for liquid coffee on the return trip.

JAMES N. ALLISON,
*Assistant Commissary General,
 Chief Commissary."*

By Command of Major-General Wood:

H. O. S. HEISTAND,
Adjutant-General.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK.

THE ADJUTANT-GENERAL'S OFFICE.

ALBANY, May 13, 1910.

CIRCULAR, }
 No. 37. }

The following act of Congress is published for the information and guidance of all concerned:

An Act to modify the one hundred and twenty-second and one hundred and twenty-fourth articles of war, and to repeal the one hundred and twenty-third article of war.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the one hundred and twenty-second and one hundred and twenty-fourth articles of war be, and hereby are, modified to read as follows:

"Art. 122. If, upon marches, guards, or in quarters, different corps of the army happen to join or do duty together, the officer highest in rank of the line of the Army, Marine Corps, organized militia, or volunteers, by commission, there on duty or in quarters, shall command the whole, and give orders for what is needful in the service, unless otherwise specially directed by the President, according to the nature of the case."

* * * * *
 "Art. 124. Officers of the organized militia of the several States, when called into the service of the United States, shall on all detach-

ments, courts-martial, and other duty, wherein they may be employed in conjunction with the regular or volunteer forces of the United States, take rank next after all officers of the like grade in said regular forces, and shall take precedence of all officers of volunteers of equal or inferior rank, notwithstanding the commissions of such militia officers may be older than the commissions of the said officers of the regular forces of the United States."

§ 2. That the one hundred and twenty-third article of war be, and hereby is, repealed.

Approved, March 8, 1910.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....,
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 18, 1910.

CIRCULAR, }
No. 38. }

Circular No. 3, Division of Militia Affairs, War Department, promulgating decision of the Comptroller of the Treasury of March 10, 1910, is hereby published for the information and guidance of all concerned:

CIRCULAR, }
No. 3. }

WAR DEPARTMENT,
DIVISION OF MILITIA AFFAIRS,
Washington, April 10, 1910.

The following decision of the Comptroller of the Treasury, dated March 10, 1910, governing the use of the appropriation "Encampment and Maneuvers, Organized Militia," is published for the information and guidance of all concerned:

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,

March 10, 1910.

The Auditor for the War Department has reported for approval, disapproval, or modification his decision, dated the 1st instant, making an original construction of a statute, as follows:

In the examination of certain vouchers for the expenses incurred in the participation of the organized militia of the State of Massachusetts during the encampment and maneuvers of said militia with troops of the Regular Army, August 14 to 21, 1909, the question arises as to the proper construction to be given to the appropriation "Encampments and Maneuvers, Organized Militia, 1909-1911," made in the act of March 3, 1909 (35 Stat., 740).

Said appropriation provides as follows:

The first appropriation "Encampment and Maneuvers, Organized Militia" made specific appropriation for pay of officers and enlisted men, for purchase of supplies for the Quartermaster's and Ordnance Departments, including regular supplies, incidental expenses, barracks and quarters, transportation of the militia and its supplies, clothing and equipage, leases of land and damages of property, and for purchase of subsistence and supplies. (See act of April 23, 1904, 33 Stat., 265.)

All of said items of expense for the organized militia were to constitute one fund, and the Secretary of War was thereafter to forward to Congress at its next session a detailed statement of the expenses of the joint encampments and maneuvers of the organized militia paid from the appropriation.

In subsequent appropriations for the organized militia provision is made simply for the "expenses" of their joint encampments and maneuvers, instead of mentioning specifically the items constituting such expenses. (See 34 Stat., 249 and 1164, and 35 Stat., 115 and 740.)

It appears that the disbursing officer who paid the aforesaid vouchers made leases in advance to cover all ground that was likely to be occupied or used by the troops, and states that unexpected movements necessitated the use or occupation of premises at times which were not covered by lease, and that such occupation covered but a short period less than twenty-four hours, and in a majority of cases not over twelve hours. The disbursing officer explains that under such circumstances it was impracticable to comply in all cases with the provisions of section 3744 of the Revised Statutes, which requires formal written contracts to be entered into.

It also appears that damages were done to cranberry bogs which were entered or crossed by the troops, incident to the maneuvers, and that damages were awarded by a Land Damage Board and paid by the disbursing officer from the appropriation for the "expenses" of the joint encampment and maneuvers. It does not appear that these damages were torts committed by private individuals. The vouchers simply state that the bogs were crossed or entered by the troops and that the damages were incident to the maneuvers. The Land Damage Board declares in its proceedings that the bogs were damaged as a direct incident of the maneuvers, and said proceedings were approved by Major General Wood. These damages, being incident to the maneuvers were provided for under the head of "expenses." The amount of the damages appears to have been liquidated or determined by agreement between the owners of the property damaged and a Land Damage Board representing the Government.

In cases where premises were occupied without leases, payments were made for rental, use, and damage to the land and other property of the claimants, where the same were incident to the maneuvers and the amount thereof was mutually agreed upon by the parties in interest and is in full satisfaction thereof.

As the term "damages of property" is specifically mentioned as one of the items of expense which are to be included in the detailed statement to be forwarded by the Secretary of War to Congress, I am of the opinion, and so decide, that it is necessarily comprehended in the term "expenses" for which each appropriation for "Encampments and Maneuvers, Organized Militia," is available.

I am therefore of the opinion, and so decide, that it was the intention of Congress in the act of March 3, 1909 (35 Stat., 740), to provide, under the term "expenses," for the payment of "damages of property," where the same were incident to encampments and maneuvers within the period covered by the act and the amount of the damage has been mutually agreed upon by the parties in interest and is in full satisfaction of such damage.

I am also of the opinion, and so decide, that the premises occupied without leases were occupied subject to the rights of the owners of the land and property; that the law implied a contract to pay rent to those owning the premises so occupied and damages to those owning the premises or other property so damaged, and that the appropriation "Encampment and Maneuvers, Organized Militia, 1909-1910," was available for the payment of rent and damages under the implied contracts therefor, under the head of "expenses."

The decisions of January 4, 1909 (15 Comp. Dec., 405), and August 4, 1909 (16 Comp. Dec., 74), have not been overlooked.

Upon the understanding that the damages for which it is proposed to hold the United States responsible are not damages resulting from the torts of the individual members of the organized militia, the decision of the Auditor is approved.

L. P. MITCHELL,
Assistant Comptroller.

[D. M. A., 13959.]
BY ORDER OF THE SECRETARY OF WAR:

E. M. WEAVER,
Colonel, Coast Artillery Corps,
Chief of Division.

By command of the Governor,

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, May 23, 1910.

CIRCULAR, }
No. 39. }

The following communication containing instructions relative to transportation, Headquarters Department of the East, is published for the guidance of the organizations designated in General Orders No. 23, A. G. O., S. N. Y., May 13th, c. s., and such other organizations as may be directed to participate in the joint Army and National Guard Maneuvers at Pine Plains, Jefferson county, New York, in August, 1910. The attention of the Commanding Officers is directed to General Orders No. 173, W. D., August 11, 1909. The following blanks will be used in providing transportation for the organization:

- Transportation Requests.
- Copies of Transportation Requests.
- Form of Contract for Transportation.
- Bills of Lading.
- Bills of Lading, Memo.
- Shipping Orders.
- Extra Sheets for B/L; Memo. B/L, and Shipping Orders.
- Form 1-a for reporting Bills of Lading and Transportation Requests.
- Forms of Circular inviting Proposals.

HEADQUARTERS DEPARTMENT OF THE EAST,

CHIEF QUARTERMASTER'S OFFICE, GOVERNOR'S ISLAND, N. Y.,

May 18, 1910.

(48713)

To The Adjutant-General, State of New York, Albany, N. Y.:

SIR:— * * * * *

When transportation requests are issued one copy of each thereof will be forwarded *at once* to this office.

Each shipment should be made on a shipping order, which should be turned over to the agent of the transportation line with the freight and will be retained by him.

Bills of lading should be numbered consecutively as issued, which number should also appear on the corresponding memorandum bill of lading and shipping order.

All transportation requests received on an invoice must be taken up and accounted for to the Quartermaster General, U. S. A.; on a property return.

Immediately after return movements to home stations have been completed, all unused transportation requests will be invoiced and sent by registered mail to this office, together with all unused tickets, coupons, etc., giving number and date of transportation requests on which such unused tickets or coupons were obtained in order that credit therefor may be obtained from the transportation line to which they pertain.

Under no circumstances will a transportation request or parlor or sleeping car request be destroyed or thrown away because some mistake has been made therein. If the mistake is a very serious one and cannot be corrected and correction certified to above signature of officer issuing or using same, it should be cancelled by writing across its face the word "Cancelled" and be disposed of as directed in the following paragraph.

All cancelled and spoiled transportation requests, sleeping and parlor car requests, will accompany the property return to the Quartermaster General, U. S. Army, Washington, D. C.

Especial attention is invited to the requirements in regard to the execution of the contract for transportation of troops as printed on the back of Form 71-a inclosed herewith, which should be strictly followed.

"REGULATIONS AND INSTRUCTIONS TO OFFICERS."

FORM No. 71-a.

"Subject to the following regulations and such further instructions as may hereafter be given by the Quartermaster General contracts according to this form may be made by officers of the Quartermaster's Department and officers doing duty therein, and, without the approval usually required, the same shall, under the provisions of A. R. 560 of 1908, become immediately effective on execution.

1. This form is to be used in providing transportation, by railroad, etc., in authorized movements of bodies of troops.
2. These contracts will be executed in triplicate, great care being taken to have the numbers agree exactly. One of the original numbers will be given to the contractor; the other two will be forwarded to the office of the Quartermaster General, one being for file in that office and one for the Auditor for the War Department.
3. Two exact copies will be made; one to be retained by the contracting officer and the other, to which will be attached the affidavit and additional papers indicated by A. R. 565, will be forwarded to the office of the Quartermaster General for transmittal to the returns office. Where payment is not to be made by the contracting officer he will also furnish a copy to the officer designated to settle the account.
4. No material change will be made in the form without authority. Blank spaces that may not be filled in a particular contract should be ruled out with the pen. Any erasure or necessary interlineation will be duly explained and the explanation signed by the parties to the contract."

Upon completion of the return movements to home stations of the organizations of your State, it is requested that a report be made to this office of the cost of transportation, both ways, of each organization, and of any expense of hauling that may have been incurred therefor.

* * * * *
 All transportation requests and copies thereof and all bills of lading, memorandum bills of lading and shipping orders, issued for these movements, and all bills for hauling that may be required in connection with the movements under G. O.'s No. 173, War Department, 1909, herein referred to, must be stamped across the face: "**PAYABLE FROM APPROPRIATION, ENCAMPMENT AND MANEUVERS, ORGANIZED MILITIA.**"

All transportation requests issued should be marked for payment by the Depot Quartermaster, New York city, and the copies of said transportation requests should also be so marked.

All bills of lading issued and the corresponding memorandum bills of lading and shipping orders should also be marked for payment by the Depot Quartermaster, New York city. This in order that the trans-

portation lines in whose favor issued may send their bills for the services with the transportation requests and bills of lading to that officer for settlement.

This letter is written in connection with the provisions of General Orders No. 173, hereinbefore referred to, and is intended to cover details that are not set forth in the order.

Respectfully,

(Signed) I. W. LITTELL,
Deputy Quartermaster General, U. S. A.,
Chief Quartermaster.

By command of the Governor:

NELSON H. HENRY,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, June 2, 1910.

CIRCULAR, }
No. 40. }

The attention of all concerned is invited to the following communication from the office of the Quartermaster-General, War Department, in connection with Circular No. 39, from this office, May 23, 1910, relative to the proper method of procedure in the matter of transportation requests, and bills of lading issued in connection with the camp of instruction at Pine Camp, N. Y.

WAR DEPARTMENT,

OFFICE OF THE QUARTERMASTER-GENERAL,

WASHINGTON, May 25, 1910.

(262171)

Chief Quartermaster,
Department of the East, Governors Island, N. Y.

SIR:

With reference to General Orders, No. 63, War Department, 1910, specifying the various camps of instruction throughout the United States during the summer of 1910, I am directed by the Quartermaster-General to inform you that all shipping officers of the Quartermaster's Department and State officers issuing transportation requests and bills of lading should be advised that all transportation requests and bills of lading issued on account of militia in connection with the camp of instruction at Pine Camp, N. Y., should be plainly endorsed "Camp of Instruction, Pine Camp, N. Y.," and marked "Payable from Appropriation 'Encampment and Maneuvers, Organized Militia, 1911,'" and the memorandum bills of lading and copies of transportation and sleeping car requests sent by issuing officer to the Chief Quartermaster, Department of the East, to be checked by him with the Form 1A of the issuing officer and transmitted to the Depot Quartermaster, New York City, for payment from the apportionment of appropriation "Encampment and Maneuvers, Organized Militia," to be made to him for this purpose.

All bills of lading and transportation requests issued on account of the regular troops to or from the camp should be plainly marked "Camp of Instruction, Pine Camp, N. Y.," and the memorandum bills of lading and copies of transportation and sleeping car requests sent by the issuing officer in accordance with the provisions of paragraph 245, Circular No. 7, Q... G. O., 1909.

Respectfully,

D. S. STANLEY,
Major and Quartermaster, U. S. Army.

HEADQUARTERS DEPARTMENT OF THE EAST,
CHIEF QUARTERMASTER'S OFFICE, GOVERNOR'S ISLAND, N. Y.,

May 31, 1910.

True copy respectfully referred to THE ADJUTANT-GENERAL, STATE OF NEW YORK, ALBANY, N. Y., for his information and guidance in connection with letter from this office of the 18th inst.

I. W. LITTELL,
*Deputy Quartermaster-General, U. S. A.,
Chief Quartermaster.*

By command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

48713.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, June 8, 1910.

CIRCULAR, }
No. 41. }

The attention of officers of the National Guard is called to "The Service of Coast Artillery" by Captain Frank T. Hines, C. A. C., U. S. A., and Major Franklin W. Ward, C. A. C., N. G., N. Y., published by Goodenough and Woglom Co., 122 Nassau Street, New York City, and which may be purchased at a cost of \$3.50 per copy. This work is recommended as a text book for officers of the Coast Artillery Corps, and commanding officers are authorized to purchase from the military funds of their organizations, the number of these books needed for their commands.

By command of the Governor:

WILLIAM VERBECK,
The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK.

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, June 10, 1910.

CIRCULAR, }
No. 42. }

The following extract from the "Bulletin of Militia Notes," Issued by the Division of Militia Affairs, War Department, Washington, is published for the information and guidance of all concerned.

By command of the Governor,

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA
AFFAIRS, WAR DEPARTMENT.

April 27, 1910.

In accordance with the provisions of paragraph 223, Militia Regulations, as published in Circular, No. 6, Division of Militia Affairs, series of 1908, the nomination by the Governor of an officer of the Organized Militia to attend the Army Service Schools must be accompanied by all of the papers mentioned in the paragraph cited, including:—

1. A certificate of a medical officer of the Organized Militia, or any other physician in good standing, showing the physical condition of the nominee.

2. A certificate from the colonel of the regiment, or other satisfactory person, as to the good moral character and preliminary educational qualifications of the nominee.

The provision of law under which leaves of absence are granted to members of the Organized Militia who are civil service employees of the Federal Government, while engaged in the performance of military duties, without deducting the time from their regular annual leave credits, only applies to the members of the District of Columbia Militia, and Congressional action will be necessary to extend this to the militia of the several States and Territories. Consequently, the War Department is without authority to make any modification of this rule.

In sending troops to annual camps of instruction, the minimum strength of each organization should be not less than four full sets of fours (32 men, *i. e.*, 28 privates and 4 corporals), and the appropriate number of sergeants (6). No company will be considered as warranting the expenditure of Federal funds for transportation, subsistence, and pay that has a strength less than that indicated above.

Machine guns can be issued only as a charge against Federal funds allotted to the State under Section 1661, Revised Statutes, as amended; as an issue under the provisions of the Act approved May 27, 1908, or as a purchase for cash, in accordance with the provisions of Section 17 of the Militia Law.

The provisions of paragraph 153 (e) Militia Regulations, do not require that a separate troop of cavalry shall have a medical chest when said troop is not on duty or detached service, and when there is a properly organized Medical Department fully equipped and prepared for detail with said organization should it be called into the service.

May 4, 1910.

The request of the Governor of a State or Territory, or the Commanding General of the District of Columbia Militia, is not necessary for the continuance of the detail of a non-commissioned officer on duty with the Organized Militia thereof. In this connection, attention is invited to paragraph 280 of the Militia Regulations, which provides that these enlisted men ordinarily will be detailed for three years.

Officers of the Organized Militia, attending special schools of instruction for cavalry, field artillery, engineer, and signal corps officers, to be held at Forts Leavenworth and Riley, Kansas, should receive pay for the actual number of days consumed in travel between their home stations and Fort Leavenworth or Fort Riley, as the case may be, traveling by the most direct route, in addition to their pay for time consumed in the instruction at the forts.

Field artillery fire control equipment, mentioned in General Orders, No. 130, War Department, series of 1909, can be procured by the Organized Militia free of charge. The reconnaissance outfit enumerated in General Orders, No. 73, War Department, series of 1907, can only be secured either as a charge against the allotment provided by Section 1661 of the Revised Statutes, as amended, as an issue under the Act approved May 27, 1908, or as a purchase for cash under the provisions of Section 17 of the Militia Law.

In reply to a request for an interpretation of paragraph 89, Small-Arms Firing Manual, 1909, regarding the use of the gun sling during the firing of a rifle, and paragraph 52, Small-Arms Firing Manual, 1909, relative to size of bull's-eye in the paper target X and iron target, as to whether it should be one inch or one and one-third inches in diameter, the following information has been submitted:

The regulations presuppose that the gun sling is assembled on the rifle in the customary manner, the details of which are prescribed in Circular 64, War Department, December 15, 1905. The rifle is habitually carried with the gun sling assembled thereon. Such being the case, the sling may be loosened to whatever extent desired for shooting, provided that neither hook shall have been passed through either sling swivel. After the sling has been properly adjusted within the limits specified in the proviso, the hooks will then be re-engaged in the appropriate pairs of holes in the slings. The provision in the Manual distinctly requires the retention of the sling on the piece while engaged in target practice.

Target X was primarily designed for use in the instruction of large bodies of volunteers in time of war, while the iron target with one-inch bull's-eye was prescribed for gallery practice. The use of the X target in gallery practice has been authorized for the past six years for the reason that it is not always practicable to obtain iron targets for such practice. While it is realized that the bull's-eye of the X target is too large for gallery practice even at 75 feet, it has not been considered of sufficient importance to justify the expense attendant upon the issue of a paper target having the same sized bull's-eye as the iron target. The bull's-eye of the X target subtends the same visual angle at 50 feet as the bull's-eye of the A target does at 100 yards, and, therefore, a gallery target at 50 feet should have a bull's-eye two-thirds of an inch in diameter to subtend the same visual angle as the A target does at 200 yards.

Officers attending schools at Forts Leavenworth and Riley, Kansas, should, if possible, take with them their horse equipments. If they can not do so, however, the equipments can be supplied at the posts.

The Buzzacott field range is obsolete and not available for issue to the Organized Militia.

The Adjutant-General of a Territory has been informed, in reply to his request for copies of circulars and orders giving in detail the *personnel* of medical corps, hospital corps, and the field equipment pertaining to the medical department, which such organizations should take into the field to meet the requirements of the Militia Law, that paragraphs 21 to 24, inclusive, of the Militia Regulations, 1908, prescribe the *personnel* and organization of the medical corps, hospital corps, ambulance companies, and field hospitals, and paragraph 132 thereof prescribes the equipments for enlisted men of the hospital corps.

Paragraphs 447 to 480, inclusive, Manual for the Medical Department, 1906, gives a general table of supplies for the Medical Department, and paragraphs 88 to 90, inclusive, relate to the blank forms and records thereof.

The organization and equipment of the Medical Department are also referred to, in a general way, in the Field Service Regulations, 1919, which are now in the hands of the printer and will be available for issue, it is thought, in about one month.

Any of the publications mentioned may be obtained in the usual way as a charge against the appropriation allotted to the State under section 1661, Revised Statutes, as amended, or the Act of May 27, 1908, or they may be purchased for cash under the provisions of section 17 of the Militia Law.

The following drill regulations are issued to the Regular Army, and are available for the use of the Organized Militia:

Cavalry Drill Regulations, 1909.

Drill Regulations, Field Artillery, 1908.

Infantry Drill Regulations, 1904, amended to 1908.

Drill Regulations and Outlines of First-Aid for the Hospital Corps, 1908, and

Provisional Small-Arms Firing Manual, 1910.

"Service of Coast Artillery," by Captain Frank T. Hines, Coast Artillery Corps, U. S. Army, is ready for distribution and may be purchased by the States and Territories at a cost of \$3.50 per copy, or may be obtained on requisition in the usual way.

Officers on the supernumerary list are not a part of the Organized Militia within the meaning of section 1 of the Militia Law; consequently, they are not entitled to any pay or allowances from funds appropriated by Congress for the support of the Militia, nor will it be practicable to arrange for their participation in the schools of instruction for militia officers.

May 11, 1910.

In the leasing of property for use as a State rifle range, maneuver and camp site, it is not usual to require an abstract of title to property leased by the Government where the lease is not for a long term of years and does not call for payment of the rental for the entire period in advance. If the lease is for a long term of years and the rental is paid in advance, the lease should be properly executed, acknowledged and recorded, and evidence should be furnished of the title of the lessor, in order that the Government may be assured of the occupancy during the term for which rental has been paid. Where the lease is from year to year or for less than five years and calls for rentals to be paid from time to time during the lease, it is assumed that the party in possession of the premises, claiming as owner and executing the lease as such, is entitled to execute the lease, and it is not usual to require evidence of his title. The description of the property should be in terms sufficient to identify it, but need not be as exact as is required in a conveyance of property. If the lease is for a short term, it is not necessary that the signature of the lessor be witnessed, although it would be preferable to do so. Unless evidence as to title is furnished, it is believed that the lease should not stipulate for the rental to be paid in advance. In regard to the board appointed to examine into claims for damages to property, it is usual for leases of this character to stipulate that one member should be appointed by the lessor, one by the lessee, and the third by these two so appointed, and that their finding should be final when approved by the disbursing officer or by some general officer of the militia.

The provisions of paragraph 4, General Orders, No. 35, War Department, current series, relating to correspondence of the Organized Militia of the First Field Army District with the War Department requires that all official communications should be addressed to the Chief, Division of Militia Affairs, and mailed in an envelope addressed to the Adjutant-General, Department of the East.

May 18, 1910.

In reply to a request for the retention of certain obsolete field pieces for ornamental purposes, the Adjutant-General of a State has been advised that the Act of May 22, 1896, authorizes the donation

of condemned ordnance, guns, and cannon balls, which may not be needed, to soldiers' monument associations, posts of the Grand Army of the Republic, and municipal organizations, without expense to the Government. To obtain such property it is necessary first to secure their condemnation and then to have some municipal corporation within the State apply for them under the Act above quoted, this application usually being made through a Senator or Representative of the State. The Act in question does not authorize the gift of the carriages. They can, however, after condemnation, be sold. The price at which similar carriages have been sold in the past is \$10 per carriage.

The following ruling has been transmitted to the Adjutant-General of a State, who requested information as to whether a captain of infantry of the Organized Militia who had been an officer of the line for several years and also a practicing physician, and who had passed the necessary medical examination for a commission in the medical corps, could be commissioned a captain of the Medical Corps and receive the pay of that grade, or whether it would be necessary to commission him as a first lieutenant, Medical Corps:

"The authority which is vested in Congress in the militia clauses of the Constitution to prescribe the organization of the militia obviously relates to the composition of regiments, companies, and other military organizations, and, unless they are called into the service of the United States, does not extend to the incidents of the several military offices so prescribed. This is for the reason that a subsequent clause of the Constitution vests in the several States the 'appointment of the officers' provided for in any organization that may be prescribed for the organized militia by Congress.

"The organization prescribed by Congress for the organized militia contemplates certain assistant surgeons as a part of the commissioned strength of regiments, and such assistant surgeons may have the rank of captain or first lieutenant. The tenure and other incidents of such office in the Regular Army are prescribed by Congress; the corresponding incidents of medical office in the organized militia are prescribed by the legislatures of the several States, and if there be a qualifying period for advancement from the rank of first lieutenant to that of captain in the Medical Corps, no reason is known why the qualifying periods of service should be the same in the organized militia that they are in the Regular Army, so long as payments made to the organized militia out of funds provided by Congress are restricted to captains and lieutenants in the office of assistant surgeon."

May 25, 1910.

1. The test of ammunition which was made recently to determine which make would be adopted for use in the National Match, resulted in the selection of the ammunition manufactured by the Winchester Repeating Arms Company. This ammunition will not be issued for use in State matches because only the quantity sufficient for the teams participating in the National Match has been contracted for.

The ammunition manufactured by the Ordnance Department of the Army, which ranks second to that of the Winchester Repeating Arms Company, will be available for issue for use in State matches, and may be procured either on requisition of the Governor in the usual way, or as a purchase for cash under the provisions of section 17 of the Militia Law.

4. The hiring of horses and draft animals for use of mounted troops in camps of instruction or other field service under sections 14 and 15 of the Militia Act may be effected by any of the following methods: contracts, proposals received in response to advertisements, written proposals and written acceptance, and in the open market. In the event that the procurement shall be made in open market, the disbursing officer must not neglect to solicit competition whenever possible. The cost of the hiring of horses and draft animals in the open market is limited by law to \$500.

The method of or absence of advertisement should be stated on the voucher for the payment.

5. The Signal Corps of the Army has no wire carts in stock available for issue. In order to fill requisitions therefor it would be necessary to purchase these carts at an approximate cost of \$850 each, and as this is a special type of cart, requiring several months to build, it is doubtful whether they could be secured in time for the maneuvers this summer. The Signal Corps is now having made a pintle type wire wagon, which is expected to be a distinct advantage over anything yet produced, but it will require some time to complete these wagons and have them thoroughly tried out by service in the field. The matter of supplying the Organized Militia with wire carts will be held in abeyance until the Signal Corps has determined upon a suitable vehicle.

6. There is no authority of law for the sale of United States military stores to either individuals or private organizations, except to rifle clubs organized under the provisions of the Act of March 3, 1905, and affiliated with the National Rifle Association of America.

June 1, 1910.

1. Where a disagreement arises as to the settlement of an unpaid account, the auditor for the War Department is without authority to furnish an advance opinion thereon; but, if it relates to a payment already made, the number of the voucher and date of payment should be furnished. An advance opinion may be obtained by a disbursing officer from the Comptroller of the Treasury, in regard to the settlement of a disputed unpaid account.

2. It is not the policy of the War Department to detail noncommissioned officers of staff corps or departments for duty as instructors of the Organized Militia under the provisions of section 20 of the Militia Act.

3. The Department has expressed its satisfaction at the progressive step taken by the State of Arkansas in deciding to issue commissions as second lieutenants in the Organized Militia of the State to all the cadet officers of the University of Arkansas at the time of their graduation, and to place them on the supernumerary list of the Guard, with a view to their being appointed to fill vacancies in the active list of the Guard as they occur.

4. Upon the resignation of a governor, he need not make final returns of United States property for which he is accountable, but invoices and receipts, showing the transfer of the property to his successor, should be accomplished, and the successor should file a copy of the invoice, with the return which he will render at the close of the calendar year.

5. The cost, with equipment complete, of the Holbrook-Dunne field oven is \$428.36; of the Marshall field oven, \$386.51.

6. The new Army field ranges will be ready for delivery June 10, 1910. These ranges will be supplied by the Commissary General of the Army in two sizes, Nos. 1 and 2. The No. 1 range is suitable for organizations composed of 111 men, while the No. 2 range is designed for the accommodation of organizations of 50 men. The cost of a No. 1 range, complete, is \$23.75, while that of a No. 2 range, complete, is \$15.82.

7. Escort wagons, with the necessary harness and equipment, can be furnished only after the charge of their value has been made against the allotments provided under section 1661, Revised Statutes, as amended, or the amount set aside for the purpose of making issues under the Act of May 27, 1908, or as a purchase for cash under the provisions of section 17 of the Militia Law. The Ordnance Department is at present experimenting with a kit wagon, which, when adopted, and available for issue, will be supplied to the field artillery batteries of the Organized Militia free of charge.

8. Ordnance Office pamphlet, No. 1992, Catalogue of Small-Arms Targets and Equipment of Target Ranges, is now ready for distribution. Its cost is 12 cents a copy.

10. The special appropriation for field-artillery material for the Organized Militia is available for supplying the field batteries thereof with the same fire-control equipment that is issued by the Signal Corps to the field batteries of the Regular Army.

11. (a) It is optional with the States whether the action of a surveying officer on United States property in the possession of the Organized Militia shall be had annually or more frequently. In case such action is had only once a year, care should be exercised to secure all obtainable evidence in regard to the circumstances under which the property was lost, destroyed, or stolen, or became unserviceable or unsuitable through fair wear and tear in the service, or any other cause, *at the time* when such loss or destruction or theft, or unserviceable or unsuitable condition, was discovered, in order to insure compliance with paragraph 55 of the Militia Regulations.

(b) Section 53 of the Militia Regulations is to be construed as covering property which has become unserviceable or unsuitable by fair wear and tear in service, or from any other cause, or which has been lost or destroyed or damaged.

(c) There is no authority of law under which the traveling or other expenses of surveying officers can be met from funds allotted to the State under section 1661, Revised Statutes, as amended; such expenses must be borne by the State.

12. The entire series of Medical Department blanks, Field Service, are either obsolete or under process of revision, and it is not definitely known when the new blanks will be ready for issue.

13. No later edition of the Manual for the Medical Department than that of 1906 is available for issue. The revised edition of the manual is in course of preparation, but this will not be available for issue for several months.

15. The following form is suggested for use in connection with a system of accountability for articles issued to enlisted men of the Organized Militia:

RECEIPT FOR EQUIPMENT, Issued to

..... Co. Regiment, N. G.
By

Date.	No.	Article.	In. R.	Returned.
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

I acknowledge that I have received the articles of equipment as enumerated above.
(Signed)

This form is printed on heavy manila paper and is 8½ in. x 4 in. As will be seen from the model given above, the first column is for the date of issue, the second for the quantity issued, the third for the

name of the article, the fourth for the initials of the person to whom the article is issued, and the fifth for the date of the return of the articles to the company.

The adoption of a form of this kind precludes the necessity of keeping cumbersome records, and, as the card is given to the man at the expiration of his enlisted term, it enables him to have possession of a paper showing that he is cleared of all accountability for company property issued to him during the period of service.

16. In connection with the participation of batteries of field artillery of the Organized Militia with the regular troops in joint camps of instruction during the ensuing summer, the Adjutants-General of the several States and Territories have been advised that a supply of ammunition for the field guns will be needed, in order that proper instruction may be given to the personnel of the batteries, and request made that requisitions be submitted for the quantities and kinds of ammunition that will be needed. It is the intention of the Ordnance Department to ship ammunition directly from Frankford Arsenal to the Ordnance officer of each joint camp, in order to prevent delay in delivery and to preclude the necessity of shipments to States and reshipments to the camps.

17. On the relief of a disbursing officer of the Organized Militia, the officer designated to fill such vacancy should execute the bond and the three signature cards for file therewith, in accordance with the provisions of paragraph 64 of the Militia Regulations.

Unexpended balances remaining in the hands of a disbursing officer cannot be transferred to his successor. Such balances should be deposited to the official credit of the Treasurer of the United States, and, should funds be required by the new disbursing officer to meet current expenses, it will be necessary for the Governor to make requisition therefor, in accordance with the requirements of paragraph 69 of the Militia Regulations.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *June 28, 1910.*

CIRCULAR, }
No. 43. }

The attention of all concerned is invited to the Report of the Camp of Instruction held in the Department of the East at Pine Camp July 15, 1908, and also to the following letter to the Governor of the State of New York, which contains much useful information and the details of which will apply in most part this year.

It is especially urged that careful study be made of the sections printed in heavy type, outlining the most commonly reported irregularities of past maneuver camps:

HEADQUARTERS DEPARTMENT OF THE EAST,
GOVERNORS ISLAND, NEW YORK CITY,

May 12, 1908.

To his Excellency, the Governor of the State of New York:

SIR.— With reference to the Camp of Instruction to be held at Pine Plains, Jefferson Co., N. Y., June 15th to July 15th, 1908, I have the honor to forward the following information for the use of the organized militia designated to attend from your state.

The particular camping ground of each Regiment, Battalion, or separate organization will have been designated and outlined previous to its arrival, and such wagon transportation as is necessary will be on hand at the detrain- ing of the troops in order that camps may be established in a prompt and systematic manner.

Each organization will come to camp provided with uniform clothing for field service, proper allowance of tentage, company messing facilities, and tools for police purposes, in accordance with existing regulations of the regular service. If troops are in olive drab or khaki, they should each have a blue shirt to enable them to be used as blues in problems.

GUARD DUTY.

It is not possible to lay too much stress upon the importance of guard duty. Every officer and certainly every company, battalion and regiment should be provided with the prescribed Manual of Guard Duty. The entire enlisted personnel should be carefully instructed, both theoretically and practically, in the performance of this duty before arrival at camp. This will not be attended to unless officers give it their personal attention. Special attention of all privates should be directed to paragraphs 205-269, 282-285, 364-366, who should also be required to memorize and digest the orders for a sentinel on post given in paragraphs 215 and 218; noncommissioned officers, in addition to the above, should familiarize themselves with paragraphs 120 to 188; 296 to 322; 433 to 437; and officers in addition to the above should familiarize themselves with paragraphs 54 to 120; 270 to 281; 372 to 388. Each organization should devote constant and unremitting attention to this duty during the entire encampment.

ADMINISTRATION.

The Company Officers should familiarize themselves with the details of the messing, cooking, and sanitation of their companies from the time they leave their home station, until they return. The success of the camp, as well as the health of the men, depends directly upon how well the company officers perform these most important duties. All possible details and preliminary work should be attended to before the companies leave their home stations. No duty connected with the care of his men should be too small to engage the attention of the Company Commander. He should inspect each meal, see that it is properly prepared, that his camp and the grounds adjacent thereto are kept in a proper state of police, and that the sanitary regulations in respect to the company kitchen and sinks are observed. He should have company orders prepared for issue upon arrival, covering the time and details of his daily inspection of the orderly room, tents, kitchen, sinks, and the part of the camp grounds allotted to his company for general police. At this time company papers should be inspected and delinquent members of his company called to the orderly room and advised, and all errors and irregularities in his company corrected. The cooks, kitchens, and cooking utensils must at all times be scrupulously clean and no part of the ration should be exposed to flies. On this subject, Company Officers should read from U. S. Army Regulations, 1904, Interior Economy of Companies, paragraphs 274 to 293. All officers should read on Rosters, the same book, paragraphs 359 to 369; on Detachments, paragraphs 370 to 374; on Daily Service, paragraphs 375 to 379; Honors and Courtesies, paragraphs 380 to 396; on Maps and Reconnaissances, paragraphs 449 and 450; and the following Article of War; 8, 12 to 17, 31 to 42, 54, 55, 56, and 60 to 70.

INSTRUCTION.

With the purpose of utilizing to the best advantage the period prescribed for service in camp, the following program of instruction has been prepared. It is made to conform to the requirements of General Orders No. 11, dated War Department, Washington, January 14, 1908, whose provisions should be carefully studied. Copies of these programs prescribing the details of duty have been furnished each organization that will be present in the camp and participate in the exercises.

It will be observed, first, that the work of the regiments of the organized militia during their stay in camp, is divided into two general classes, the first six days being devoted to battalion and regimental drill, exercises in Combat, Security and Information, and the last four days into Field Exercises and Problems. During the first period the regular troops and the organized militia are each engaged in following their own separate program, from one to three regular officers being assigned to each regiment of the organized militia to give such assistance as may be requested. During the second period all the troops in camp at that time will work together in field exercises and problems. From 11 A. M. to 12 M. during the first period, two regular officers have been designated to give lectures to the assembled officers of the organized militia upon the work which they will engage that afternoon. There will also be a series of lectures, commencing at 8 P. M., each evening of the camp by designated officers on military subjects of general interest. All officers will be present.

Instruction will be given in the afternoons to the regular officers available on the subjects "Map Maneuvers" and "Tactical Rides." Major Charles H. Barth, 12th Infantry, will be the director in charge of the Map Maneuver work; Major J. T. Dickman, 13th Cavalry, will be the director in charge of

the instruction in "Tactical Rides," etc. It will be possible to allow one or two officers of each regiment of the organized militia to join each of these classes in case they so desire. Officers detailed to receive this instruction should have a good knowledge of the Drill Regulations, Field Service Regulations, Map Reading and the Writing of Orders.

Instruction will be given to the Commissary and Quartermaster Officers of each regiment in their special departments in the forenoons of the days of the first period.

Each officer should have in his possession and familiarize himself thoroughly with the following books, namely: "United States Army Drill Regulations" for his arm of the service; "Field Service Regulations, United States Army."

Beach's booklet on Map Reading, and a copy of the Pamphlet on Field Orders by Major Eben Swift, of the Staff College, Fort Leavenworth, Kan. An effort will be made to secure copies of this pamphlet for distribution upon arrival in camp.

Special attention is directed to the following Articles of the "Field Service Regulations," which should be carefully studied before arrival at camp, viz:

- Article II. Orders.
- Article III. Service of Information.
- Article IV. Service of Security.
- Article V. Marches.
- Article VI. Combats.
- Article IX. Transportation, particularly in so far as it relates to the entraining and detraining of troops.
- Article X. Shelter.

IRREGULARITIES IN PAST ENCAMPMENTS TO BE GUARDED AGAINST.

In this connection, it is thought desirable to call the attention of the organizations that participate in the camp to some of the most commonly reported irregularities of past maneuver camps, to the end that their officers may take proper steps to prevent their recurrence during this encampment.

First: — Probably the most common irregularity noted by reporting officers is the difficulty in securing the observance of the ordinary sanitary regulations in regard to the various company kitchens and sinks. This subject is of the greatest importance, as the command will be in camp for a considerable period of time, and the good health of the entire command depends upon the strict observance of these regulations by each and every member of every organization in camp. The Company Commander is responsible for the observance of the sanitary regulations in his own camp, and the Regimental Commander for his entire camp. This matter should engage the serious and earnest attention of every officer who comes to the camp.

Second: — Reflections have been made upon the discipline in times past as evidenced by (A) Promiscuous firing of blank cartridges during the day or night in and about the camp; (B) By the considerable percentage of men falling out from drill, exercises and problems and straggling over the country; (C) By the failure to observe the regulations with regard to military courtesies, as required by Infantry Drill Regulations, paragraphs 592, 593, 596 and 599, and paragraph 4, Army Regulations; (D) By interference with the fruit trees, gardens, and other private property by members of some commands, thus bringing discredit upon their entire organization. The good men in each organization, — always the great majority, — should give the weaker ones, who are liable to offend in this particular, to understand that such acts will not be tolerated.

Third: — Criticisms have been made in the past of the lax manner in which Guard Duty was performed. As this is by far the most important duty of the soldier — upon the proper performance of which the safety of the entire command too frequently depends and which can only be assured by careful and unremitting attention of commissioned officers — special stress should be laid upon the proper and thorough instruction of all commands therein before reaching camp.

Fourth: — From past experience, it is thought that it would be well if the men were warned to provide themselves with a comfortable marching shoe for their week's work in camp. A considerable part of each day must be spent in marching and it is found that the shoe which the men are habitually accustomed to use, an exact fit, frequently thin soled and narrow toed, is not at all well adapted to marching purposes. A comfortable, rather heavy soled shoe, and at least a size larger than that ordinarily used, has been found to be best suited for this purpose.

The War Department will probably designate officers of the General Staff to be present during the camp and report upon the discipline, instruction, observation of sanitary regulations, entraining and detraining and other matters of general importance.

It is thought that the mere mention of these matters will be sufficient to put the men of various commands on their mettle and to cause such steps to be taken by the officers as will effectually prevent any necessity for an unfavorable report. I feel sure that we can safely count upon the co-operation of all in making the camp a complete success.

QUARTERMASTER'S DEPARTMENT.

Instructions to govern officers in command of troops en route. Quartermasters and others charged with the supervision of the entraining and detraining of troops in connection with the camp of instruction at Pine Plains, Jefferson Co., N. Y.

1. All Commanding Officers, at home stations, will designate an experienced officer as Quartermaster, to take charge of and superintend entraining of commands, and on consolidation of such commands at regimental or other rendezvous, and will appoint one Quartermaster, with an assistant officer, if necessary, to take charge of entraining the consolidated command on the trains for the through journey to Pine Plains. If the command is carried in different trains or sections each train or section will have a Quartermaster in charge.

Such Quartermasters will remain on this duty until the troops arrive and are encamped at Pine Plains.

The duties of such Quartermasters will be — at home stations — to inspect each car and train provided for the transportation of their commands; see that the cars and equipment are clean and in good serviceable condition throughout; car lamps filled and in working order; water tanks iced and filled with water and renewed when necessary, and closets provided with necessaries. They will see that the troops are quartered on each passenger coach not to exceed two on a seat, and none allowed to ride with standing room only.

They will obtain orders from the Commanding Officers not to allow any baggage or impedimenta of any kind to be taken on the passenger coaches with the men, nor to allow officers to take anything but small pieces with them on the coach or sleeper — such as they can hold and carry in their hands when they detrain at destination.

The men will have nothing with them in the passenger coach except their personal field equipment and arms.

When the men step from the train they will leave nothing behind them in the passenger coach, but will have all their belongings on their persons and be ready to bivouac if necessary alongside the train.

2. All baggage of officers and men, except as specified above, will be placed in the baggage cars provided, and in the following order, viz:

- First. Officers' baggage.
- Second. Enlisted men's baggage.
- Third. Rations.
- Fourth. Hospital stores.
- Fifth. Tentage.

So that the articles needed first on detraining will be first reached and utilized in detraining at camps. The property of each organization will be kept by itself and the car marked with the destination of the regiment or organization whose property is in the car. The cars for both men and baggage should be assigned and marked by the Quartermaster before loading. If the regiment is to be shipped in two or more sections, the proper baggage car should accompany each section so that when the organization arrives in camp its baggage will be with it.

3. Officers charged with the duties of shipping heavy baggage, tentage, etc., should indicate on the bill of lading, the number and initial of car in which shipment is made.

4. Quartermasters will see that at the making up of trains at home stations or points of concentration the train is arranged so that all baggage cars come immediately after the stock cars and engine, the car containing the travel rations for the journey being the rear baggage car and next to the passenger coaches. Such car containing the travel rations and necessaries for the trip should have doors at either end permitting of easy entrance from the passenger coaches, en route.

The passenger coaches will come next to the baggage cars, then the sleepers at rear of train.

5. A noncommissioned officer from each company should be placed in charge of and be responsible for all company property and supplies on the train, so that he can locate and separate it on arrival at destination and supervise his company detail during the unloading from trains into wagons, the wagon haul from the railroad station, and the delivery at company camps.

This noncommissioned officer should ride in the baggage car with the property he is put in charge of and not be relieved of this duty until the property is all delivered into proper hands on the company camp grounds. The same rule should be observed regarding regimental and brigade or separate organization property, where there is such property.

DETRAINING.

6. The Commanding Officer of each train will telegraph at least ten hours before the arrival of his train at Pine Plains, to the Adjutant-General of the Camp, the hour and day his train will reach camp at destination, the number of cars of stock, baggage, passenger coaches and sleepers, and the strength of his command in officers, men, animals, wagons and artillery guns and carriages. This information is necessary in order that wagon transportation may meet the trains and promptly detrain their commands.

7. On approaching their destination at the camps, Commanding Officers will make a careful personal inspection of each passenger coach and of the personnel of their commands, to see that every man has his equipment on and in place, so that when the train stops the men can step off immediately, fall in and march to designated camp site, or bivouac, as may be necessary. The passenger coaches and sleepers will be left entirely empty. Not over ten minutes, and nearer five minutes, will be consumed by any command in thus detraining the men.

Orders should be given for the formation of the command, to be not over thirty yards from the railroad, after detraining, and under no circumstances should the men be permitted to leave the ranks, straggle or cross the tracks. The Commanding Officer will detail, before train reaches detraining point, from each organization on the train, an unloading detail of one officer and such number of enlisted men as may be necessary to unload the organization baggage from the cars. About four to six men will generally suffice for this duty. This detail will stand ready to go to the baggage cars immediately after detraining.

8. While the men are detraining as above the baggage and stock cars will be cut loose and at once hauled by the engine to the spur track which will be designated to receive them until they are unloaded. The passenger coaches and sleepers will, when emptied, be hauled away to storage yards by the switch engine, to make clear way for the next approaching train.

9. All wagon transportation will be kept at a general corral near points of detraining and details of wagons will be furnished from such corral, by the Quartermaster in charge of wagon transportation at the camps, to all organizations and commands on arrival, and such wagons, after loading, hauling and delivery to camps of all baggage and property pertaining to the command, will be returned to the general corral mentioned.

10. Such Quartermaster in charge of wagon transportation at the camp will receive timely notice from the Chief Quartermaster of the expected arrival of a train and command, its strength, etc., and will have on hand on arrival of the train a sufficient number of wagons and teamsters, in the charge of a wagon master or assistant wagon master, to unload and deliver the property.

11. The Quartermaster in charge of the train will, on arrival at destination, report at once to the Quartermaster in charge of camp wagon transportation and receive instructions.

This latter officer will be located near the point of detraining and will be found at once by his streamer or flag bearing the device of the Quartermaster Department.

12. Before and on arrival of the train, the train Quartermaster will have his company details ready for unloading from cars and into wagons, and proceed with them at once to the spur on which his baggage cars are switched. These details will stay with the company property until it is delivered to company camps.

The train Quartermaster will have general supervision of the unloading and delivery of the property of his entire train, and will be held responsible for all delays and confusion.

13. Instructions will be issued from this office in due time covering the subject of entraining for home, after termination of the maneuvers.

14. The above instructions, if carefully noted and implicitly followed by all, will ensure a harmonious and comfortable movement, and the detraining and establishment in camps be effected safely, quickly and with satisfaction to all. An exact compliance will therefore be insisted on.

SUBSISTENCE DEPARTMENT.

Subsistence will be furnished by the Subsistence Department, U. S. Army, not to exceed in cost the sum allotted, as follows:

EN ROUTE TO STATION DESIGNATED.

From the time the Militia organizations shall start from the home rendezvous until time of arrival at camp, an expense not exceeding seventy-five cents per man per day is authorized for the purchase of cooked meals for enlisted men. The purchase of cooked meals as above should be made

after advertising by circular-letter sent to dealers and posted in public places, or, if conditions do not permit of advertising, in open market under paragraph 549, Army Regulations, as amended by General Orders, No. 144, War Department, 1907, the accounts to be prepared on Form 7, Subsistence Department (the voucher covering the travel period to show number of men, organization to which they belong, and places between which, and dates when, travel was performed), certified by the officer procuring the meals, and sent through the Post Commissary at destination to the Chief Commissary, Department of the East, Governors Island, N. Y., for payment.

Organizations reaching destination at a late hour of the day should arrange in advance for the evening meal, either taking with them cooked lunch or providing through purchase or otherwise at destination. Detraining of troops and supplies, transfer to camp sites, establishment of camp and drawing rations, consume much time, too often resulting in a hasty and poorly cooked midnight supper and well-founded discontent and needless hardship to weary and hungry men.

Coffee can be provided in a few minutes through arrangement with organizations already on the ground, but no other cooking should be attempted if possible to avoid the necessity therefor.

IN CAMP.

Rations will be issued to enlisted men only.

Arrangements will be made by the commissary at the post or camp for the supply of fresh meat, fresh bread, fresh vegetables, and ice. Ice is authorized for issue at the camp, but not for issue going to and returning therefrom. The sale of ice by the Subsistence Department is not authorized.

Subsistence stores in the commissary at rendezvous will be sold at cost prices to officers and enlisted men of the Militia, in reasonable quantities, as to officers and enlisted men of the Regular Army.

Immediately upon the arrival at post the commissary of the command should get in touch with the post commissary for instructions in the matter of rations, etc.

RETURNING TO HOME RENDEZVOUS.

For the journey to the home rendezvous, travel rations will be issued. The officer who procures the liquid coffee portion of the travel ration will prepare certified vouchers on Form 7, as in the case of meals, and send to the Chief Commissary, Department of the East, Governors Island, N. Y., for payment.

The combined cost of meals, rations, liquid coffee, commutation of rations for sick in hospital, and any other authorized purchase, must not exceed the allotment made. Any expense for subsistence in excess of the allotment must be borne by the State, or the organization incurring the same.

The authorized allowance for liquid coffee is seven cents per man per meal, i. e., twenty-one cents per man per day for the actual number of days traveling.

Vouchers sent to the Chief Commissary for payment must be complete as to all data required, must be made out and signed in ink, and, if practicable, free from alterations and erasures of any kind. Any erasures or alterations must be certified to by separate signatures of the person signing the certificate.

A report, showing number of pints of coffee, and other data above mentioned, should be forwarded direct to the Chief Commissary by each officer issuing vouchers for liquid coffee on the return trip.

PREPARATIONS.

The proper officer should come to camp supplied with sufficient funds to pay for any supplies that may be required in excess of the allotment.

Regimental and separate Battalion Commissaries should be provided with platform scales, meat saws, butcher knives and steel, and other necessary implements for issuing the components of the ration to their companies; with the requisite tentage, with the necessary stationery, etc., for the transaction of their duties before their arrival in camp. All organizations should come to camp provided with complete serviceable field cooking outfits, and in fact everything necessary for the proper preparation, cooking and serving of the ration.

MEDICAL DEPARTMENT.

Officers of the Medical Department and enlisted men of the Hospital Corps (sanitary corps) should proceed to camp with the organization to which attached. Upon arrival, the senior surgeon with a command should report to the Chief Surgeon with a list of the medical officers and Hospital Corps men under his direction, with a view to their assignment most suitable, for duty and instruction.

The equipment for the medical service with the organized Militia will correspond as nearly as possible with that authorized for regular troops.

Regimental dispensaries will be provided for the regular service while in camp, for the treatment of minor ailments. When cases are of a serious nature they will be sent to the base or field hospital. At the hospital, patients who will require treatment for any considerable period will be recommended for return to their posts.

Militia regiments and attached organizations will have their own necessary provision for the treatment of their sick during their stay in camp. Any serious case, however, will be sent home or treated in the base hospital, as may be deemed best by the surgeon in charge.

Uniform and equipments of the Hospital Corps should conform as nearly as practicable to the requirements of the regular service.

The water supply will be designated. A man will be detailed to attend to the water supply of a company.

The senior surgeon will in each case inspect the command prior to departure for the encampment and recommend the exclusion of such officers and men as he finds physically unfit to accompany the troops.

PAY DEPARTMENT.

Militia participating in the exercises at Pine Plains, Jefferson Co., N. Y., will be paid by officers of the Pay Department, U. S. Army, on special rolls which contain full instruction for their preparation. These rolls will be furnished direct to the organizations from the Paymaster General's office, Washington, D. C.

Officers and men will be borne and paid on the same roll. It is not essential that the entire service be stated on the roll, as the men will be mustered only for the number of days for which payment is to be made by the Paymaster. As the company officers certify to the correctness of the roll, they will be held responsible for the statement of facts thereon.

Militia will be paid for the entire period from the time when they start from their home rendezvous to the time of their return to their home rendezvous. No payment for mileage to officers will be made. Transportation in kind should be supplied.

If practicable, one copy of the pay rolls should be made out before the organization leaves its home rendezvous, and on arrival in camp this copy should be given to the Chief Paymaster, who may revise it, if necessary, and then return it to the organization. The other copies can be made from this corrected copy.

All officers and enlisted men must present themselves at the pay table in order to receive their pay from the Paymaster in person, and must be identified by their immediate commanders, as no money will be paid on orders, verbal or written.

All absences without leave for more than twenty-four hours, occurring after the departure from the home rendezvous, should be noted under the head of remarks.

ORDNANCE DEPARTMENT.

Each organization of the militia should arrive at the camp properly armed and equipped, as issues of Ordnance and Ordnance Stores will be limited to blank ammunition.

No organization will be permitted to have ball cartridges in its possession. No individual will be permitted to have ball cartridges in his possession. Commanding officers should take such action as will insure their organizations arriving in camp without the possession of a single ball cartridge.

There will probably be issued to each organization of the militia, free of expense to the state, such number of blank cartridges as can be procured with the sum allotted for the purpose by the Secretary of War. It is anticipated this allotment will provide about forty-seven (47) blank cartridges for each U. S. magazine rifle, caliber .30, and about forty (40) blank cartridges for each field gun.

In addition to the allowance prescribed in the preceding paragraph, the Ordnance Officer of the camp will be authorized to issue to organizations of the militia such quantities of blank ammunition for which the Governor of the State may make requisition. The cost of all ammunition issued on such requisitions will be charged to the quota of the State, Territory or District of Columbia under Section 1661, Revised Statutes. Requisitions for such issues should be submitted to the Secretary of War in time to insure their receipt, after approval by the Secretary of War by the Ordnance Officer of the camp, not later than June 15, 1908. Organizations of the militia can and should bring to the camp such quantities of blank ammunition, calibers .30 and .38 and for field guns as the Governor of the State may authorize.

Small arms blank ammunition will be issued on requisitions of regimental ordnance officers, approved by regimental commanders, and on requisitions of commanding officers of field batteries and independent organizations, approved by the proper authority, under the direction of the Chief Ordnance Officer of the command to whom the requisitions will be submitted. Issues of blank ammunition will be limited to such quantities and will be made at such times as will be prescribed in orders from these Headquarters.

Upon the completion of the maneuvers, all unbroken boxes and packages of blank ammunition remaining on hand in the possession of any organization of the militia, will be turned in to the Chief Ordnance Officer of the command, in order that the State may receive proper credit therefor.

The Chief Ordnance Officer of the command is charged with ascertaining and reporting the amount of ammunition issued to each regiment and sep-

arate organization of the organized militia, to enable the money value thereof to be charged against the proper allotment or to the quota of the State, Territory or District of Columbia.

SIGNAL CORPS.

National Guard Signal Corps Companies should bring all visual signaling equipment (flags, heliographs, acetylene lantern, etc.), buzzers, linemen's outfits (climbers, clamps, pliers, etc.), pay out and take up reels, field glasses and telescopes.

Very respectfully,

F. D. GRANT,

Major-General, U. S. Army, Commanding.

BY COMMAND OF THE GOVERNOR,

WILLIAM VERBECK,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, June 29, 1910.

CIRCULAR, }
No. 44. }

The attention of all concerned is invited to the provisions of Regulations, Part II, 108 and 109, relative to the proper channel of communication and the use of the telegraph as a means of official correspondence.

In order that action by superior headquarters may be based upon an intelligent comprehension of all the factors involved, it is necessary that correspondence on which such action is required should be reviewed by intermediate commanding officers, to the end that their recommendations, or information in their possession, may be taken into consideration in the final disposition of the matter.

Requests for special details or action of any nature should always be made in this manner, and should state briefly and concisely the reasons for such request, and the considerations which make the requested action desirable. In this connection it is deemed appropriate to quote the following from paragraph 5, Army Regulations: "Efforts to procure personal favor or consideration, should never be made except through regular military channels."

By command of the Governor:

WILLIAM VERBECK,

The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, July 14th, 1910.

CIRCULAR, }
No. 45. }

The following "Bulletins of Militia Notes," issued by the Division of Militia Affairs, War Department, Washington, are published for the information and guidance of all concerned.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA
AFFAIRS, WAR DEPARTMENT.

June 8, 1910.

1. Captain M. C. Kerth, Twenty-third Infantry, U. S. Army, Assistant to the Chief, Division of Militia Affairs, has been ordered to attend the following joint camps of instruction for the Organized Militia, as an observer:

Gettysburg, Pennsylvania, July 1 to 31.

Leon Springs, Texas, August 2 to 13.

Fort Riley, Kansas, August 15 to 26.

Fort Benjamin Harrison, Indiana, September 1 to 15.

2. The following program has been announced for the school for Medical Officers of the Organized Militia of the State of Ohio to be held at Columbus, Ohio, on June 8 and 9, 1910:

Wednesday, June 8, 1910.

9 A. M. At the Columbus Barracks.

Major Henry C. Fisher, Medical Corps, U. S. A.

Physical Examination of Recruits, (Practical demonstration).

2 P. M. At Starling Ohio Medical College, (Park Street).

Major E. L. Munson, Medical Corps, U. S. A.

Camp Sanitation and Medical Organization in the Field. Discussion opened by Major S. B. Taylor, Medical Corps, O. N. G.

8 P. M. Officers of the Medical Corps and their friends are invited by Major H. H. Snively to attend a regular drill of Ambulance Company, Section No. 2, O. N. G., at its drill ground, 1368 North High Street.

Thursday, June 9, 1910.

9. A. M. At Starling Ohio Medical College.
Major C. R. Reynolds, Medical Corps, U. S. A.
Manual Medical Department and Field Service Regulations. Discussion opened by Major F. W. Hendley, Medical Corps, O. N. G.
2. P. M. At Starling Ohio Medical College.
Papers and records. Discussion opened by Major William P. Love, Medical Corps, O. N. G.

Officers are directed to bring to these meetings their copies of the Field Service Regulations, Manual of the Medical Department, and a note book.

3. The Adjutant-General of the State of Indiana having reported that quite a number of officers and men of the Indiana National Guard are employees of the Indianapolis and other Post Offices, and notwithstanding the instructions in the Official Postal Guide, 1909, in regard to granting leaves of absence to members of the Organized Militia in order to allow them to attend to their duties as members of the guard, some of the department superintendents absolutely refuse to listen to any suggestions in regard to granting such leaves of absence, his communication was referred to the Postmaster General with request that he give the matter his consideration. Under date of June 2, 1910, the Postmaster General addressed a letter to The Secretary of War transmitting copy of a letter sent to the Postmaster, Indianapolis, Indiana, as follows:

June 2, 1910.

POSTMASTER,

Indianapolis, Indiana.

SIR: This office has been informed by the War Department that certain superintendents in your office have refused to grant leaves of absence to members of the Indiana National Guard in order to allow them to attend to their duties as members of the guard. In this connection your attention is directed to the Postmaster General's Order, embodied in paragraph 50, page 57 of the Postal Guide of July, 1909, which is as follows:

"In order to correct a misconception that seems to exist as to the attitude of the Department in regard to enlistment and service in the national guard by employees in the postal service, the following order has been issued:

"ORDERED. That leaves of absence without pay, in addition to the leave of absence with pay authorized by law, will be granted to postal employees who are members of the national guard when called upon to perform military duty by competent authority.

"The Department believes that the national guard should be encouraged in every way and that it is feasible for postmasters to arrange the duties of employees so that leaves of absence to perform military duty may be granted without detriment to the service."

Respectfully,

C. P. GRANDFIELD,

First Assistant Postmaster General.

4. There is no schedule of charges for the hiring of horses for officers who are required to be mounted. The rate of hire is dependent on local conditions, but the animals should be hired at the lowest obtainable rate.

The hiring of animals may be effected by any of the following methods: Contracts, proposals received in response to advertisements, written acceptance, and in the open market; the disbursing officer must not neglect to solicit competition whenever possible. The cost of the hiring of horses and draft animals in the open market is limited by law to \$500.00.

June 15, 1910.

1. Under the provisions of General Orders, No. 4, War Department, current series, Major Daniel B. Devore, 11th Infantry, has been assigned as the senior instructor and in charge of the infantry officers' camp of instruction of the Organized Militia of the State of Iowa, to be held at the State Rifle Range from June 14th to 17th, inclusive, and the following named officers are designated as instructors in attendance at this camp:

Major William E. Vose, Medical Corps,
 Captain George P. White, 6th Cavalry,
 Captain Frank L. Wells, Quartermaster, 11th Infantry.
 Captain Campbell E. Babcock, 4th Infantry, and
 Captain Lawrence P. Butler, 4th Infantry.

Troop F, 5th Cavalry, Fort Des Moines, Iowa, has been ordered to the Iowa State Rifle Range for duty at the camp of instruction for infantry officers of the Organized Militia of the State of Iowa, to be held from June 14 to 17, 1910.

2. Under the provisions of General Orders, No. 4, War Department, current series, Captain Farrand Sayre, Adjutant, 8th Cavalry, has been assigned as the senior instructor of the infantry officers of the Organized Militia of the State of South Dakota, to be assembled in a camp of instruction at Fort Meade, South Dakota, June 26 to July 2, 1910, and the following named officers are designated as instructors in attendance at this camp:

Captain William D. Chitty, 4th Cavalry,
 Captain Oliver S. Eskridge, 11th Infantry, and
 1st Lieutenant Hans O. Olson, 18th Infantry.

In addition, the following named enlisted men have been ordered to duty in connection with this camp of instruction:

Squadron Sergeant Major John Schoeklin, 8th Cavalry, and
 Quartermaster Sergeant John T. Greenwood, Company M, 11th Infantry.

3. While rubber floor covering is desirable in fire control stations of coast artillery armories, it is not considered necessary and the cost thereof can not therefore be charged against any Federal funds apportioned for the support of the Organized Militia.

4. Leg guards are no longer supplied by the Ordnance Department with artillery harness.

5. There is no school at Fort Leavenworth, Kansas, to which enlisted men of the Organized Militia are eligible.

Under existing orders or regulations, enlisted men of the Organized Militia are allowed to attend the following service schools:

Coast Artillery School (Enlisted Men's Division), Fort Monroe, Virginia, (General Orders, No. 203, War Department, series of 1909).

Mounted Service School, Fort Riley, Kansas, including the Training School for Farriers and Horseshoers and the Training School for Bakers and Cooks, (General Orders, No. 180, War Department, series of 1909).

Training School for Saddlers and Battery Mechanics of Field Artillery, Rock Island Arsenal, Illinois, (General Orders, No. 80, War Department, series of 1909).

The School for Bakers and Cooks, Washington Barracks, District of Columbia, (General Orders, No. 126, War Department, series of 1909).

The School for Bakers and Cooks, The Presidio, San Francisco, California, (General Orders, No. 126, War Department, series of 1909).

The regulations governing the attendance of enlisted men of the Organized Militia of the several States and Territories at service schools are published in General Orders, No. 247, War Department, series of 1909.

6. In reply to the request of the Adjutant-General of a State as to whether an ex-member of the militia can act as a team coach in preliminary practice in the State and at the Camp Perry range up to the time of the match, he has been advised that the provision of paragraph 17 of General Orders, No. 26, War Department, February 17, 1910, that "no person shall be a member of any team in the National Team Match or act as captain, coach, spotter or alternate on any such team who does not present a certificate from the Adjutant-General of the State, Territory, or District of Columbia to which he belongs" pertains strictly to the National Match, no reference being made to the composition or conduct of the team instruction previous to said match.

7. Where the law of a State considers that supernumerary officers of the State militia assigned by definite orders from the Governor to duty are in point of fact officers on the active list during the period of such assignment, the Department would not question the *de facto* active status of such officers. If the complement of officers for each unit or organization is that required by the organization of the United States Army, and officers are legitimately assigned to duty as officers on the active list by the laws of the State, there would be no question as to the propriety of such assignment. If such details were made, the officers would receive the pay of their grades.

8. As State camps can not be considered as being, in any way, joint camps of instruction held under the provisions of Section 15 of the Militia Law, the Department is without authority to make any allotment from the appropriation "Encampment and Maneuvers, Organized Militia" for meeting the expenses of such encampments. Funds provided by Congress under Section 1661, Revised Statutes, as amended, are available for such purposes.

9. The guard cartridges, caliber .30, model of 1906, manufactured by the Ordnance Department prior to April 20, 1910, will not always function properly in the Gatling guns, caliber .30. This is due to the five cannellures on the case decreasing the strength of the case so that when the head space in the gun is slightly too great the case will sometimes rupture, and the entire case will not be extracted, resulting in the malfunction of the gun.

Action has been taken by the Ordnance Department to manufacture a guard cartridge, caliber .30, model of 1906, to overcome the defect mentioned above. Ammunition of this design will be ready for issue by July 1, 1910, and may be obtained on requisition of the Governor in the usual manner, as a charge against funds allotted to the State under Section 1661, Revised Statutes, as amended, as an issue under the Act approved May 27, 1908, or as a purchase for cash from State funds in accordance with the provisions of Section 17 of the Militia Law.

10. The mortar plotting board predictor issued to the Regular Service by the Ordnance Department of the Army is of an experimental nature. None are on hand and available for issue nor is it the intention of the Department to manufacture an additional number thereof.

11. The Epitome of Tripler's Manual for the Examination of Recruits is obsolete. Existing rules for the guidance of recruiting officers in the examination of recruits are published in General Orders, No. 66, War Department, current series.

Forms Nos. 22, 25 and 60, Return of Medical Property, Invoice of Small Medical Supplies, and Monthly Report of Examination of Recruits, respectively, are obsolete.

June 22, 1910.

1. Copies of the Field Message Blank Book, Signal Corps, No. 217-A, may be obtained as a purchase for cash under the provisions of Section 17 of the Militia Law, as amended, at a cost of seven cents each.

2. Paragraph 70 of the Militia Regulations requires that requisitions for funds to be placed to the credit of a disbursing officer be accompanied by an approximate estimate covering the funds called for. Requisition can not be made on the Secretary of the Treasury for the issuance of a warrant unless such estimate is forwarded with the request for funds.

3. Intrenching tools which may be desired for use in connection with the instruction of the Organized Militia, may be procured by the States on requisition of the Governor as a charge against the allotment to the State under Section 1661, Revised Statutes, as amended, or as an issue under the Act of May 27, 1908, or as a purchase for cash under the provisions of Section 17 of the Militia Law.

4. The pay of recruits of less than three months' service prior to their participation in joint encampments, can not be made from Federal funds appropriated for the support of the Organized Militia, but their subsistence and transportation is properly chargeable against the appropriation "Encampment and Maneuvers, Organized Militia."

5. In reply to a request for information as to the course to be adopted by disbursing officers of the Organized Militia in regard to conceding disallowances made by the Auditor for the War Department in the settlement of their accounts, and the disposition to be made by them of refundments of overpayments, the Adjutant-General of a State has been informed as follows:

"When the Auditor for the War Department, in settling the accounts of a disbursing officer of the Organized Militia, makes a disallowance in connection therewith, the disbursing officer should at once concede the disallowance and take up the amount thereof on his account current, unless it be his intention to appeal to the Comptroller of the Treasury. In case the disallowance is conceded, the disbursing officer should immediately deposit the amount to the credit of the Treasurer of the United States with the depository *with whom his funds remain*, indicating that the appropriation "Arming and Equipping the Militia" is the one to which the funds pertain. Thereupon, the depository will issue a certificate of deposit in duplicate and forward the original certificate to the Treasurer of the United States and give the duplicate to the disbursing officer for file with his retained accounts.

"The Treasurer of the United States, upon receiving the original certificate of deposit will forward it to the War Department and the amount deposited will be recredited on the books of the Division of Militia Affairs to the allotment of the State under section 1661, Revised Statutes, as amended, and then become subject to the requisition of the Governor either for funds or for issues of stores and supplies."

6. In connection with the joint camps of instruction to be held during the ensuing summer, it is thought to be desirable that the form of Morning Report in use in the Regular Army should be used. This, however, is a matter that is optional with the State authorities and the form of Morning Report in use among the Organized Militia may be employed if desired.

7. In accordance with paragraph 24, Field Service Regulations, 1910, the personnel of sanitary troops attached to a regiment of infantry are as follows:

- 1 Major.
- 3 Captains and Lieutenants.
- 1 Sergeant, first-class.
- 3 Sergeants and Corporals.
- 20 Privates, first-class and privates (1 wagoner).
- 1 Field wagon.
- 1 Pack mule.

Summary of Personnel.

- 4 Officers (mounted).
 - 24 Enlisted men (8 mounted).
8. Requisitions for campaign badges for issue to the Organized Militia must be accompanied by lists, in duplicate, of officers and enlisted men entitled to the same as prescribed in paragraph 8, General Orders,

No. 129, War Department, series of 1908. (See Circular No. 4, Division of Militia Affairs, March 15, 1909.)

9. In reply to a request for information, as to whether the cost of certain improvements, in connection with the establishment of camp and maneuver grounds on a site donated to a State, can be met from Government funds, the disbursing officer of a State has been advised as follows:

"The initiative in securing property for target ranges rests with the Governor of the State. It is prerequisite to payment for improvements on the land that the title to the property be approved by the Attorney-General of the United States, as required by section 355, Revised Statutes, and the deeds and abstracts of title, certificates as to taxes, etc., necessary for the purpose of proving title should be forwarded to the Chief, Division of Militia Affairs, for reference to the Attorney-General. After the title shall have been approved, the prospective payments mentioned may be made from Federal funds (provided the vouchers covering such payments are approved by the Governor of the State or the Adjutant-General, on behalf of the Governor), and will be properly chargeable to that portion of the State's allotment set aside for the promotion of rifle practice."

10. It is strictly within the limit of duties of non-commissioned officers detailed for duty with the Organized Militia, as prescribed in paragraphs 379-380 of the Militia Regulations, that they be utilized as instructors on rifle ranges. The number of hours which would be deemed advisable for attendance on the range would be determined by the State authorities according to the exigencies of the service.

11. Because of the large number of officers of the Regular Army now on detached service, which number must be increased considerably in August on account of the demand for officers to conduct the National Matches and the combined camps of instruction in July and August for the Regular Army and Organized Militia, it is absolutely essential that all requests for details with the Organized Militia which will increase the number of officers on detached service and which are not necessary should be disapproved. Requests of this nature, received since 1908, have been disapproved by the Department, because of the necessity for refraining from increasing the number of officers on detached service.

12. A complaint having been received of the United States rifle, caliber .30, model of 1903, being "shot out" and not fit for team work or fine shooting in matches, the Adjutant-General of a State has been advised as follows:

"The estimated cost of furnishing new barrels and attaching them to old rifles in an ordnance establishment of the Army is \$5.15 each. In view of the fact that the new barrels can not be readily fitted to the rifles by State authorities, the rifles should be surveyed by a disinterested officer of the Organized Militia, who will recommend that the rifles be sent to an arsenal for repairs. When this information is given the approval of the Secretary of War, the rifles may be sent to the Springfield Armory for repair

and subsequent reissue to the State, the cost of such repairs to be made a charge against the allotment to the State."

13. In reply to a request for information as to the status of a "hospital steward," who is a member of an ancient militia organization, chartered under State laws, the Adjutant-General of a State has been informed as follows:

"The Act of January 21, 1903, provides that certain corps of cavalry, artillery or infantry which have been in continuous existence since May 8, 1792, and which had been subject to the operations of the act approved on that date and to the provisions of sections 232 and 1625 to 1660, Revised Statutes, shall retain their 'accustomed privileges,' subject, however, 'to all other duties required by law in like manner as the other militia.' (Section 3, Act of January 21, 1903, 32 Stat. L., 775.) In other words, if there was a privilege, and possibly an exemption, to which a particular corps was entitled in 1892, that corps shall continue to enjoy such privilege in the operation of the Militia Reorganization Act of January 21, 1903.

"It is not understood, however, that they are thereby exempted from the operation of that act, but must be organized in conformity to the standards therein prescribed. Outside of this organization they may keep up, for other purposes, their ancient organization and administration, and may continue to enjoy any privileges to which they were entitled on May 8, 1792. That is to say, a battalion of infantry which has been in existence continuously since May 8, 1792, and has an antiquated organization with, perhaps, an excessive number of officers or non-commissioned officers of the several grades, or contains offices not now recognized by law, may continue such organization in connection with the organization required by the Act of January 21, 1903. It is believed to be the operation of the section under examination to continue these for social or State purposes, but the battalion must also be organized in conformity to the requirements of the Act of January 21, 1903, and when it appears at a State camp, in the operation of section 14 of the Militia Law, or at a joint camp with troops of the Regular Army, in the operation of section 15 of the Militia Law and of the acts of appropriation for the support of the Army, it can only receive pay for the number of officers and men of the several grades which are authorized by the standards established in that act, as amended.

"The hospital steward referred to in the communication herewith, may for all purposes save that of a State camp or a joint encampment with troops of the Regular Army, retain his old designation and rank. For the purposes of the Act of January 21, 1903, however, he must appear with the title of office recognized in that enactment.

"No objection is seen, where a hospital corps has been established in a State, to the permanent assignment of a first-class sergeant of the hospital corps to a privileged corps like that in reference."

June 29, 1910.

1. Batteries and store wagons of field artillery organizations should be kept fully equipped and packed with the following prescribed articles of paint and painting material for repainting once in two years:

Annual Supply, Part 1, Class 10, Section 10.

Borax, pounds	2
Cosmic, No. 80, soft, quarts	2
Dressing, leather, russet, boxes	2
Globes, lantern	2
Lavaline, 10-oz. cans	2
Oil, kerosene, gallons	4
Oil, hydrolene, gallons	5
Oil, lubricating, gallons	5
Oil, neatsfoot, gallons	5
Oil, sperm, gallons	1
Oil, light slushing, gallons	5
Petrolatum (vaseline)	3
Sal soda, lbs.	20
Skins, chamois	4
Soap, castile, lbs.	20
Soap, Properts, boxes	20
Sponges	25
Waste, cotton, lbs.	30
Wicks, lantern	6
Paint (Rubberine) Saluting cart., gallons	2

The main thing to be accomplished is to have sufficient supplies regularly furnished to keep leather equipment clean, soft, and in good order, metal parts free from rust and slushed sufficient hydrolene oil to refill cylinders for target practice, and synovial oil for lubricating purposes for any contemplated march.

2. Paragraph 200 of the Militia Regulations is amended to read as follows:

"200. Entrance fees for teams to the National Matches, matches of the National Rifle Association, and State events, will constitute a proper charge against the allotment for the promotion of rifle practice under section 1661, Revised Statutes, as amended."

3. In answer to a request for information as to whether medical officers of the Organized Militia will be permitted to take the course of instruction in the correspondence school for medical officers at Fort Leavenworth, Kansas, in accordance with the provisions of General Orders, No. 100, War Department, June 1, 1910, the Adjutant-General of a State has been informed as follows:

(a) The order cited contemplates that thirty medical officers only of the regular service will be allowed to take the course of instruction.

(b) The school in question is at present in an experimental stage and is not one of those to which officers of the militia can be admitted under the provisions of section 16 of the **Militia Law**.

(c) The establishment of this school is a new venture for the permanent establishment, and, if successful, it is thought that the advantages of this or similar schools will be extended to the medical officers of the Organized Militia.

4. There is no restriction of law prohibiting a retired officer on duty with the Organized Militia from holding a commission therein.

If such retired officer holds a commission in the Organized Militia, his actual expenses may be paid from funds allotted to the State under the provisions of section 1661, Revised Statutes, as amended, in acquiring and developing target ranges, as provided in paragraphs 212 and 214, Militia Regulations.

If such officer holds a commission in the Organized Militia, and is directed by the Governor to accompany the State troops in the joint maneuvers, his status is that of an officer of corresponding rank in the Organized Militia and he would be entitled to wear the insignia of his rank as a militia officer.

If such officer is an integral part of an organization attending the maneuvers, his expenses, including transportation, are properly payable from funds allotted under section 1661, Revised Statutes, as amended; however, if he is in attendance merely in the capacity of an observer, his expenses must be met from other than Federal funds.

5. When transportation charges connected with the participation of militia in joint camps of instruction are paid from the appropriation "Encampment and Maneuvers, Organized Militia," all arrangements for the transportation and payment of the accounts of the transportation companies are made by the Quartermaster's Department of the Army.

6. The following letter has been transmitted to the Adjutants-General of all States and Territories:

"Referring to the provisions made in paragraphs 279 and 280 of Regulations of the War Department Governing the Organized Militia, edition of 1908, published in Circular No. 6, Division of Militia Affairs, March 29, 1909, it is desired to convey information that a class of non-commissioned officers is now under instruction at Fort Leavenworth with the view of supplying any details that may be called for by the military authorities of the States for the ensuing year. The experience of the first year in the use of non-commissioned officers of the Army by the military authorities of the States, in matters of instruction of the Organized Militia thereof, indicates that, as a general rule, the experiment has been successful. While in some cases the non-commissioned officers have failed to give satisfaction, in the great majority of cases the reports have been favorable, and, in some cases, enthusiastically so. It is thought advisable at this time to call attention to the subject in a general way, with a view to calling up the conditions under which the details of these non-commissioned officers are made, giving the benefit of the experiences of those States in which the work has appeared to be most satisfactory, and defining more particularly the limitations of employment which appear to be desirable.

“Paragraphs 279 and 280 of the Regulations of the Organized Militia read as follows:

“279. Applications from governors of States and Territories, and the commanding general, District of Columbia Militia, for the detail of enlisted men of the Regular Army for duty with the Organized Militia of the States, Territories, and the District of Columbia, pursuant to the provisions of section 20 of the Act of Congress approved January 21, 1903, as amended by the Act of Congress approved May 27, 1908, should state the special qualifications it is desired that the enlisted men should possess, the arm of the service from which it is desired they should be detailed, and the duties it is desired they should perform. Applications should further specify the places at which the officers should report for duty and, by name and rank, the person to whom they should report.

“Soldiers detailed upon this duty will be paid and clothed, and will have their rations commuted by the proper staff officers of the Regular Army at the headquarters of the Department in which they may be serving. The descriptive lists and accounts of pay and clothing of enlisted men so detailed will be kept at department headquarters.

“It being impracticable for the United States to furnish quarters, fuel, light, medicines, medical attendance, and transportation connected with travel within the limits of the State in the execution of their duties, it will be necessary for the State, Territory, or District of Columbia, to bear all expenses connected with these items from funds other than those appropriated under section 1661, Revised Statutes, as amended. The willingness of the State to bear these latter expenses should be set forth in the original application made for the detail.

“280. The duties of enlisted men of the Regular Army detailed for service with the Organized Militia pursuant to the foregoing paragraph include all matters pertaining to the theoretical and practical instruction of the Organized Militia of the State which may be assigned to them by the officer of the State under whose orders they are serving. The Department desires that the State military authorities shall take every advantage possible of the experience the enlisted men so detailed may have had in, and the knowledge they may have of, matters of drill, instruction, discipline, and customs of the regular service. It is to be clearly understood, however, that enlisted men detailed under the provisions of the foregoing paragraph shall not be employed in any other than a military capacity.

“The period of time for which these enlisted men will ordinarily be detailed is three years, and a soldier will not be eligible for redetail until he shall have served at least two years again in the Regular Army.

“The Adjutant-General of the State, Territory, or District of Columbia, in which enlisted men detailed under the pro-

visions of the foregoing paragraph may be serving will submit, quarterly, to the Chief of the Division of Militia Affairs in the Office of the Secretary of War, a report setting forth the manner in which the enlisted men have performed their duties during the past quarter, and, if not in all respects satisfactory, specifying in what particulars it is not so. Blanks for these reports will be furnished Adjutants-General by the Chief of the Division of Militia Affairs.

“ Enlisted men detailed to duty with the Organized Militia in accordance with the foregoing provisions will, in addition to the bimonthly personal report made by them to The Adjutant-General of the Army, report quarterly, on September 30, December 31, March 31, and June 30, directly to the Chief of the Division of Militia Affairs, War Department, Washington, District of Columbia, complete details of all drills and instructions given by them, and other work, if any, performed by direction or at the request of the State authorities.’

“ It was the desire in paragraph 280 to make the scope of use of the non-commissioned officers as broad as possible, it being the express desire of the War Department that ‘ the State military authorities shall take every advantage possible of the experience the enlisted men so detailed may have had in and the knowledge they may have of matters of drill, instruction, discipline and customs of the regular service,’ the only restriction imposed being that the employment should be confined to that of a military nature.

“ The question of collateral employment of these non-commissioned officers during the time that they are not engaged in the strict performance of their duties has come up from time to time during the year and it has been suggested that the scope of employment might be extended beyond that of strictly military employment. The Department considers it unwise, if not improper, that the *order* prescribing the employment should contemplate any duties partaking of the nature of labor, manual or clerical, which are not directly connected with the instruction of the commissioned and enlisted personnel of the Organized Militia. Such employment, for example, as making inventories of property for property returns, packing and shipping property, clerical employment connected with the routine military business of organizations and accountability for property, cleaning small arms and field pieces, painting carriages, and similar work connected with the preservation of property; all such employment is not considered appropriate to the position occupied by these non-commissioned officers. On the other hand, the Department desires that the time of these men, during the day as well as during the evenings, shall be fully employed. It is understood, of course, that as a rule the opportunities for giving instruction directly can be had only in the evening during the assembly of the organizations in their armories. It is desirable, however, that officers of the militia

under whom non-commissioned officers are working shall be permitted to make personal arrangements with the non-commissioned officers as to the employment of their time whenever they are not engaged in performing the specific duties assigned them under the provisions of paragraph 280 of the Militia Regulations. Such employment should not, however, extend to anything that is not suitable for a non-commissioned officer to do. Employment of this nature should be differentiated clearly from that officially required, and, as indicated above, should in all cases be the result of a personal agreement between the non-commissioned officer and the military authorities of the State or Territory.

"The complete employment of the time of non-commissioned officers should be reported by Adjutants-General and by non-commissioned officers in their quarterly reports to the Chief, Division of Militia Affairs. These reports should have entered separately thereon the services rendered by the non-commissioned officers in connection with each class of employment, the first under the heading 'official duties' and the second, 'employment other than official.'

"With a view to offering a suggestion as to how the services of the non-commissioned officers may best be utilized, attention is invited to the following extracts from the letter of the Adjutant-General of a State, which mark the line along which, in the opinion of the Department, the best results may be obtained:

"Upon the three sergeants assigned to duty with the State reporting to the Governor, they were given a detailed explanation of the methods of instruction followed in the State and were also instructed in detail by the Regular Army officer on duty with the State, as to his methods of instruction and inspection. This precaution was taken in order to avoid confusion in the little details of instruction in the drill regulations, guard manual, etc.

"Each sergeant was assigned to a regiment and the general plan followed of assigning each sergeant to a company for a tour of duty of one month, at the conclusion of which the detail was changed to another company, and so on.

"In assigning the sergeants to duty, the following written instructions were given them, or rather the schedule of work:

"1. Individual instruction of the First Sergeant.

"2. Individual instruction of the Quartermaster-Sergeant or the custodian of military property, with particular reference to its care and accountability therefor.

"3. Instruction of all the company non-commissioned officers individually and collectively at such times and places as may be most convenient, particularly making use of nights other than drill nights for non-commissioned officers' schools, such schools to be made progressive and paying particular attention to discipline, military courtesies, neatness in wearing the uniform, guard duty, extended order, and field service regulations.

"4. Instruction of the company clerk in all record and paper work.

"5. Instruction of all enlisted men in drill, discipline and customs of the service.

"In addition to the written and verbal instructions given each sergeant, each was furnished with a copy of the Non-commissioned Officer's Manual by Captain A. J. Moss. Each was directed to make a confidential detailed report at the end of each month to the Adjutant-General.

"Arrangements were made for an allowance by the State of fifty cents per day commutation of quarters and for medical treatment in case of sickness.

"All the sergeants were particularly cautioned to make themselves at all times as near an example of military perfection as possible; they were reminded to be particularly careful in their personal habits and to be diplomatic in their dealings with the officers, particularly if they found any who were inclined to treat them too much as equals or tender them social entertainment that might be detrimental.

"To each company commander, when a sergeant was sent to report to him, a copy of the instructions given the sergeant was sent to him, and they were cautioned not to use the sergeant or attempt to use them for anything except military duty. They were also cautioned to treat the sergeant at all times with due courtesy and consideration, to avoid undue familiarity and to be very careful not to tender any social entertainment or attention that would not be accorded the sergeant by officers of the United States Army. Each captain was directed to make a confidential report to the Adjutant-General at the end of the month of the sergeant's work.

"Under these general instructions the three sergeants on detail with the State have been working since October, 1909. Their work has been uniformly satisfactory and beneficial in every instance and at the armory inspections the effects of their instruction on those companies with which they have worked has been plainly noticeable.

"It is the intention of the military authorities to have the three sergeants on duty with each regiment during its State encampment, to detail one to each battalion and to make it their duty to instruct the enlisted men of the companies of the battalion in promptness in all formations, in police work, care of the rifles, in sanitation and personal hygiene, in guard duty, extended order, tent pitching and packing, and for the further instruction of the non-commissioned officers, also to make use of them in such manner as may be deemed advisable as the work of the company progresses.

"After a sergeant has completed a tour of duty with one regiment he will be assigned to a different regiment, so that in the course of their three years' detail each regiment and each company will benefit by the training of all three sergeants.

“This is and is still simply an experiment and after a full year's experience it may be deemed advisable to modify or make some radical changes in the plan to be followed; however, up to the present time nothing has occurred to cause even a contemplation of a change.”

7. It is not considered desirable to sell to States 3.2-inch guns for saluting purposes as these guns are not designed for metallic ammunition, and, therefore, the firing of blank cartridges therefrom would be attendant with more or less danger. Moreover, the price that it would be necessary to charge for one of these guns would be greatly in excess of that at which the Department can furnish a more suitable gun.

The cost of the regular three-inch saluting gun, with its accessories and spare parts, including a pedestal mount, is \$457.43. This is the regular three-inch saluting gun and mount that is supplied to all seacoast fortifications and all interior posts. The mount would probably not be as satisfactory as a wheeled mount for camp saluting purposes, and the Department will furnish a three-inch saluting gun, with accessories and spare parts, and a two-wheeled carriage; this carriage to be what is known as a 6-pounder gun carriage, field. The total cost in this case would be \$397.43.

8. Payment of employees on rifle ranges for services rendered on Sundays is not a violation of any law or regulation, but the Auditor for the War Department invariably requires that a certificate be furnished showing the Sundays employed and the necessity for the work, in order to satisfy himself that no overpayment has been made to per diem employees.

9. Under a decision of the Comptroller of the Treasury, dated September 3, 1903, payment may be made for the transportation from the home rendezvous to place of encampment and return, of horses of officers who are required to be mounted as part of the Organized Militia, and which are necessary to mount them, and who take part in the actual field or camp service as part of such Organized Militia. Therefore, where the expenditure for transportation overland, instead of by railroad, is reasonable and does not exceed the amount of freight charges which would be claimed by a railroad company, the same will be allowed.

10. In response to a complaint received, that at a previous encampment funds were not placed to the credit of a disbursing officer so as to permit the payment of the troops at the end of the maneuvers, the disbursing officer of a State has been informed as follows:

“A period of from seven to ten days usually elapses between the date of making a requisition and the actual placing of the funds to the credit of a disbursing officer. The disbursing officer will receive due notice from the depository when the funds shall have been placed to his credit, and if the issuing of checks is postponed until the receipt of such notice, the possibility of any overdraft will be avoided.”

GENERAL HEADQUARTERS, STATE OF NEW YORK,
THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, July 19, 1910.

CIRCULAR, }
No. 46. }

The following communication from Major-General F. D. Grant, U. S. A., who will command the Camp of Instruction at Pine Camp, New York, during the month of August, 1910, is published in substitution of Circular No. 43, Adjutant-General's Office, June 28, 1910, for the information and attention of all concerned.

It is especially urged that careful study be made of the Sections under the heading of "Irregularities in Past Encampments to be guarded against."

HEADQUARTERS DEPARTMENT OF THE LAKES.

CHICAGO, ILL., July 5, 1910.

To his Excellency, the Governor of the State of New York:

Sir.— With reference to the Camp of Instruction to be held at Pine Camp, Jefferson County, N. Y., I have the honor to forward the following information for the use of the organized militia designated to attend from your state.

The particular camping ground of each regiment, battalion, or separate organization will have been designated and outlined previous to its arrival and such wagon transportation as is necessary will be on hand at the detrainment of the troops in order that camps may be established in a prompt and systematic manner.

Each organization will come to camp provided with uniform clothing for field service, proper allowance of tentage, company messing facilities, and tools for police purposes, in accordance with existing regulations of the regular service.

GUARD DUTY.

It is not possible to lay too much stress upon the importance of guard duty. Every officer and certainly every company, battalion and regiment should be provided with the prescribed Manual of Guard Duty. The entire enlisted personnel should be carefully instructed, both theoretically and practically, in the performance of this duty before arrival at camp. This will not be attended to unless officers give it their personal attention. Special attention of all privates should be directed to paragraphs 200-264, 277-280, 359-361, who should also be required to memorize and digest the orders for a sentinel on post given in paragraphs 210 and 211; noncommissioned officers, in addition to the above, should familiarize themselves with paragraphs 115 to 183; 291 to 317; 425 to 427; and officers in addition to the above should familiarize themselves with paragraphs 49 to 114; 265 to 276; 367 to 383. Each organization should devote constant and unremitting attention to this duty during the entire encampment.

ADMINISTRATION.

The company officers should familiarize themselves with the details of the messing, cooking, and sanitation of their companies from the time they leave their home station, until they return. The success of the camp, as well as the health of the men, depends directly upon how well the company officers perform these most important duties. All possible details and preliminary work should be attended to before the companies leave their home stations. No duty connected with the care of his men should be too small to engage the attention of the company commander. He should inspect each meal, see that it is properly prepared, that his camp and the grounds adjacent thereto are kept in a proper state of police, and that the sanitary regulations in respect to the company kitchen and sinks are observed. He should have company orders prepared for issue upon arrival, covering the time and details of his daily inspection of the orderly room, tents, kitchen, sinks, and the part of the camp grounds allotted to his company for general police. At this time company papers should be inspected and delinquent members of his company called to the orderly room and advised, and all errors and irregularities in his company corrected. The cooks, kitchens, and cooking utensils must at all times be scrupulously clean and no part of the ration should be exposed to flies. On this subject, company commanders should read from U. S. Army Regulations, 1908, Interior Economy of Companies, paragraphs 278 to 297. All officers should read on Rosters the same book, paragraphs 361 to 370; on Detachments, paragraphs 371 to 375; on Daily Service, paragraphs 376 to 380; on Honors and Courtesies, paragraphs 381 to 397; on Maps and Reconnaissances, paragraphs 448 and 449; and the following Articles of War: 8, 12 to 17, 31 to 42, 54, 55, 56, and 60 to 70.

INSTRUCTION.

With the purpose of utilizing to the best advantage the period prescribed for service in camp, the program of instruction has been prepared. It is made to conform to the requirements of General Orders, No. 11, dated War Department,

Washington, January 14, 1908, whose provisions should be carefully studied. Copies of these programs prescribing the details of duty have been furnished each organization that will be present in the camp and participate in the exercises.

It will be observed, first, that the work of the regiments of the organized militia during their stay in camp, is divided into two general classes, the first six days being devoted to battalion and regimental drill, exercises in Combat, Security and Information, and the last four days into Field Exercises and Problems. During the first period the regular troops and the organized militia are each engaged in following their own separate program, from one to three regular officers being assigned to each regiment of the organized militia to give such assistance as may be requested. During the second period all the troops in camp at that time will work together in field exercises and problems.

Each officer should have in his possession and familiarize himself thoroughly with the following books, namely: "United States Army Drill Regulations" for his arm of the service; "Field Service Regulations, United States Army."

Special attention is directed to the following Articles of the "Field Service Regulations," which should be carefully studied before arrival at camp, viz:

- Article II. Service of Information.
- Article III. Orders.
- Article IV. Service of Security.
- Article V. Marches.
- Article VI. Shelter.
- Article VIII. Transportation, particularly in so far as it relates to the entraining and detraining of troops.
- Article IX. Combats.

IRREGULARITIES IN PAST ENCAMPMENTS TO BE GUARDED AGAINST.

In this connection it is thought desirable to call the attention of the organizations that participate in the camp to some of the most commonly reported irregularities of past maneuver camps, to the end that their officers may take proper steps to prevent their recurrence during this encampment.

First:—Probably the most common irregularity noted by reporting officers is the difficulty in securing the observance of the ordinary sanitary regulations in regard to the various company kitchens and sinks. This subject is of the greatest importance, as the command will be in camp for a considerable period of time, and the good health of the entire command depends upon the strict observance of these regulations by each and every member of every organization in camp. The company commander is responsible for the observance of the sanitary regulations in his own camp, and the regimental commander for his entire camp. This matter should engage the serious and earnest attention of every officer who comes to the camp.

Second:—Reflections have been made upon the discipline in times past as evidenced by (A) Promiscuous firing of blank cartridges during the day or night in and about the camp; (B) By the considerable percentage of men falling out from drill, exercises and problems and straggling over the country; (C) By the failure to observe the regulations with regard to military courtesies as required by Infantry Drill Regulations, paragraphs 592, 593, 596 and 599, and paragraph 4, Army Regulations; (D) By interference with the fruit trees, gardens and other private property by members of some commands, thus bringing discredit upon their entire organization. The good men in each organization,—always the great majority,—should give the weaker ones, who are liable to offend in this particular, to understand that such acts will not be tolerated.

Third:—Criticisms have been made in the past of the lax manner in which guard duty was performed. As this is by far the most important duty of the soldier—upon the proper performance of which the safety of the entire command too frequently depends and which can only be assured by careful and unremitting attention of commissioned officers—special stress should be laid upon the proper and thorough instruction of all commands therein before reaching camp.

Fourth:—From past experience, it is thought that it would be well if the men were warned to provide themselves with a comfortable marching shoe for their week's work in camp. A considerable part of each day must be spent in marching and it is found that the shoe which the men are habitually accustomed to use, an exact fit, frequently thin soled and narrow toed, is not at all well adapted to marching purposes. A comfortable, rather heavy soled shoe, and at least a size larger than that ordinarily used, has been found to be best suited for this purpose.

The War Department will probably designate officers of the General Staff to be present during the camp and report upon the discipline, instruction, observation of sanitary regulations, entraining and detraining and other matters of general importance.

It is thought that the mere mention of these matters will be sufficient to put the men of various commands on their mettle and to cause such steps to be taken by the officers as will effectually prevent any necessity for an unfavorable report. I feel sure that we can safely count upon the co-operation of all in making the camp a complete success.

TRANSPORTATION.

The following instructions, with the exception of minor details locally applicable, are taken from General Orders, No. 173, War Department, August 11, 1909.

ISSUE OF TRANSPORTATION REQUESTS AND BILLS OF LADING.

1. For the purpose of protecting the interests of the United States, the Quartermasters General of the States sending troops to the camps are hereby designated as agents of the United States Quartermaster's Department, to issue all bills of lading

and transportation requests necessary to cover the service, which will be made payable at the office of the Chief Quartermaster, Department of the East.

2. The Quartermaster General of the State will ascertain the number of officers and men, the number of animals and the approximate weight of the property, for which transportation will be required, and will submit the data to competing lines of transportation with a view to securing the best rates obtainable from starting point to place of concentration, and from place of concentration to destination, and return to home station. Care must be taken that no unauthorized property is shipped and that transportation requests cover only members of the organized militia, authorized to attend the encampment. Care will also be taken that in the receipt on transportation requests the exact number of men (members of the militia) actually transported is plainly stated. Conditions of service being equal, contract for the transportation should be awarded to the lowest bidder and a clause should be inserted in each contract providing for the issuance of separate transportation requests, sleeping car requests and bills of lading for the going journey, and separate transportation requests, sleeping car requests and bills of lading for the return journey; service for the going journey and service for the return journey to be paid for by the settling officer at one-half of the round-trip contract net rates. This is desirable in view of the fact that, in militia movements, the return journey never comprises the same numbers and quantities as the going journey, and separate requests and bills of lading for the going and return journeys will obviate the necessity for the additional certificates regarding numbers and quantities, now required by the Auditor for the War Department.

3. Bills of lading and separate transportation requests are required for each station where troops take train, but where more than one organization starts from the same point, all may be included on one transportation request. Blank forms of contract, transportation requests and bills of lading to cover the movement will be furnished by the Chief Quartermaster, Department of the East.

Transportation requests will cover the exact and entire number of officers and men to be transported. Separate tickets should be obtained for all officers and enlisted men traveling before or after the main body of the organizations, and they must be provided for at the contract prices.

4. It is the custom to provide tourist sleeping car accommodations for enlisted men at the rate of three to a section only, when more than 24 hours is to be consumed in a journey as scheduled. Officers may be provided with standard sleeping car accommodations, or a seat in a Pullman or parlor car, at the rate of one double berth or seat each, whenever such accommodations are available on regular trains. When traveling on special trains with troops, they are entitled to standard sleeping car accommodations at the rate above specified, provided their number is 18 or more, or the sleeping car company will agree to accept berth rates for a less number. If the number of officers is less than 18, and tourist cars are supplied for the enlisted men, they are entitled to a section, for each officer, therein; the space occupied by the officers to be curtailed off in suitable manner. No specific form of sleeping car request is now issued by the Quartermaster's Department, the use of the same having been prohibited by the Comptroller of the Treasury. The railroad transportation request issued will be used in calling for sleeping or parlor car accommodations, amending the same with a pen to conform to requirements.

5. In issuing bills of lading for the transportation of authorized horses and impedimenta, it is necessary that the property shipped should be described in such detail as will enable the settling officer to properly classify each of the different kinds of property, with separate weights of each kind, with a view to making the most advantageous settlement for the transportation charges. General terms for the description of different classes of property should be avoided and separate weights should be shown for each of the different kinds of property enumerated on bills of lading. Personal baggage of officers and enlisted men will be handled in the baggage cars, in the same manner, and not to exceed 150 pounds per passenger, as provided for by the usual and customary provisions of the standard railway ticket. Such personal baggage is restricted to wearing apparel and related articles (checkable baggage), and is not entered on any bill of lading and no charge will be made for the transportation of such personal baggage, within the limits of 150 pounds per passenger.

6. Bill of lading forms now in use in the Quartermaster's Department carry instructions on the reverse side of each form for the proper use and disposition of the shipping order, the memorandum bill of lading and the bill of lading. The shipping order is retained by the railroad agent, the memorandum bill of lading, when signed by the railroad agent, should be forwarded to the receiving officer or consignee at destination.

7. The Quartermaster General of each State issuing transportation requests, sleeping car requests and bills of lading, will, without delay, make report, in duplicate, on form 1-A of the Quartermaster's Department, of transportation requests, sleeping car requests and bills of lading issued by him, and the report, in duplicate, should be forwarded to the Chief Quartermaster, Department of the East.

8. Immediately after the movements have been completed, the Quartermaster General of each State will return to these headquarters all unused, spoiled or cancelled transportation and sleeping car requests, and all unused bills of lading and other blanks supplied him to carry out these instructions. Great care must be taken not to destroy or lose any transportation or sleeping car request blanks as they have to be accounted for to the War Department. At the same time all unused return tickets, coupons, etc., will be returned to these headquarters, in order that credit therefor may be demanded of the carriers.

9. Officers charged with the duty of entraining troops are authorized to hire such wagon transportation as may be absolutely necessary to move the camp equipment from armories to points of entraining. Such service should be engaged at the lowest obtainable rate for each 100 pounds, after inviting bids, in writing, for the actual

quantity of baggage hauled. All bills for such service should be properly certified by these officers, and forwarded to the Chief Quartermaster, Department of the War for settlement, accompanied by the accepted bid and copy of letter of acceptance.

10. All labor required in loading and unloading baggage and equipment pertaining to organizations will be performed by enlisted men thereof. On arrival at destination, transportation for hauling baggage and equipment to camp sites will be provided by the military authorities in charge.

11. In loading it is deemed best to observe the following order:

First.	Officer's baggage.
Second.	Enlisted men's baggage.
Third.	Ammunition.
Fourth.	Hospital stores.
Fifth.	Rations.
Sixth.	Tentage.

By this arrangement, articles needed first will be unloaded first. Keep the property of each organization by itself, and mark on the car the designation of the regiment or organization whose property it contains. If by reason of concentration the command is transported in two or more sections of the train, the proper baggage cars should accompany each section, so that when an organization arrives at destination, its baggage will be with it.

SUBSISTENCE.

Subsistence will be furnished by the Subsistence Department U. S. Army, not to exceed in cost the sum allotted, as follows:

EN ROUTE TO DIFFERENT FROM OTHER.

From the time the militia organizations shall start from the home rendezvous until time of arrival at camp, an expense not exceeding seventy-five cents per man per day (25 cents per meal) is authorized for the purchase of cooked meals, including liquid coffee, for *enlisted men*. The purchase of cooked meals as above should be made after advertising by circular letter sent to dealers and posted in public places, or, if conditions do not permit of advertising, in open market under paragraph 553, Army Regulations of 1908, the accounts to be prepared on Form 7, Subsistence Department (the voucher covering the travel period to show number of men, organization to which they belong, and places between which, and dates when travel was performed), certified by the officer procuring the meals, and delivered promptly upon arrival to the camp commissary for payment.

Organizations reaching destination at a late hour of the day should arrange in advance for the evening meal. This may be accomplished by carrying cooked lunches, or providing for same by purchase, or other means, at destination.

IN CAMP.

While in camp the garrison ration will be furnished to the militia of such of the states as have been granted an allotment for subsistence by the Secretary of War, in the manner prescribed by paragraph 1238 Army Regulations, as amended by G. O. No. 57, War Department, 1910. Those states having no allotment for subsistence may purchase, with the approval of the Secretary of War previously obtained, for cash from state funds, subsistence stores at cost price with the cost of transportation added.

Rations will be issued to enlisted men only.

Arrangements will be made by the commissary of the camp for the supply of fresh meat, fresh bread, fresh vegetables, butter, and ice. Ice is authorized for issue at the camp but not for issue going to or returning therefrom. The sale of ice by the Subsistence Department is not authorized.

Sales of subsistence stores, in reasonable quantities, will be made for cash at cost prices, to officers and enlisted men of the militia the same as to officers and enlisted men of the regular Army.

Ration returns for five days should be prepared in advance of arrival at camp by the commander of each organization, and submitted immediately after to the adjutant-general of the camp for proper action.

RETURNING TO HOME RENDEZVOUS.

For the journey to the home rendezvous travel rations will be issued. The officer who procures the liquid coffee portion of the travel ration will prepare certified vouchers on Form 7, as in the case of meals, and send them to the Chief Commissary, Department of the East for payment.

The combined cost of meals, rations, liquid coffee, commutation of rations for sick in hospital, and any other authorized purchase, must not exceed the allotment made. Any expense for subsistence in excess of the allotment must be borne by the State, or the organization incurring same.

The authorized allowance for liquid coffee is seven cents per man per meal, i. e., twenty-one cents per man per day for the actual number of days traveling.

Vouchers for cooked meals or liquid coffee must be complete as to all data required, must be made out and signed in ink, and if practicable, free from alterations and erasures of any kind. Any erasures or alterations must be certified to by separate signature of the persons signing the certificate.

A report, showing number of pints of coffee, and other data above mentioned, should be forwarded direct to the chief commissary by each officer issuing vouchers for liquid coffee on the return trip.

GENERAL.

The proper officer should come to the camp supplied with sufficient funds to pay for any supplies that may be required in excess of allotment.

Regimental and separate battalion commissaries should be provided with platform scales, meat saws, butcher knives, and steel, and other necessary implements for issuing the components of the ration to their companies; with requisite tentage, with necessary stationery, etc., for the transaction of their duties before their arrival in camp. All organizations should come to camp provided with complete serviceable field cooking outfits, and in fact everything necessary for the proper preparation, cooking and serving of the ration.

When any militia officer purchases and pays for cooked meals or liquid coffee from private or state funds in his possession, refundment will be made by the United States on proper vouchers. Such vouchers must be accompanied by original receipted bills of the creditors, and the certificate (or affidavit as the case may require), of the officer making the purchase, that the transaction was necessary, and that he had no personal profit in the matter.

MEDICAL DEPARTMENT.

Officers of the Medical Department and enlisted men of the Hospital Corps (sanitary corps) should proceed to camp with the organization to which attached. Upon arrival, the senior surgeon with a command should report to the chief surgeon with a list of the medical officers and Hospital Corps men under his direction, with a view to their assignment most suitable, for duty and instruction.

The equipment for the medical service with the organized militia will correspond as nearly as possible with that authorized for regular troops.

Regimental dispensaries will be provided for the regular service while in camp, for the treatment of minor ailments. When cases are of a serious nature they will be sent to the base or field hospital. At the hospital, patients who will require treatment for any considerable period will be recommended for return to their posts.

Militia regiments and attached organizations will have their own necessary provision for the treatment of their sick during their stay in camp. Any serious case, however, will be sent home or treated in the base hospital, as may be deemed best by the surgeon in charge.

Uniform and equipments of the Hospital Corps should conform as nearly as practicable to the requirements of the regular service.

The water supply will be designated. A man will be detailed to attend to the water supply of a company.

The senior surgeon will in each case inspect the command prior to departure for the encampment and recommend the exclusion of such officers and men as he finds physically unfit to accompany the troops.

PAY DEPARTMENT.

Militia participating in the exercises at the maneuver camp will be paid by officers of the Pay Department, U. S. Army, on special rolls which will contain full instruction for their preparation. These rolls will be furnished direct to the organizations from the Paymaster General's Office, Washington, D. C.

Officers and men will be borne and paid on the same roll. It is not essential that the entire service be stated on the roll, as the men will be mustered only for the number of days for which payment is to be made by the paymaster. As the company officers certify to the correctness of the roll, they will be held responsible for the statement of facts thereon.

Militia will be paid for the entire period from the time when they start from their home rendezvous, to the time of their return to their home rendezvous. No payment for mileage to officers will be made. Transportation in kind should be supplied.

If practicable one copy of the pay rolls should be made out before the organization leaves its home rendezvous, and on arrival in camp this copy should be given to the chief paymaster, who may revise it, if necessary, and then return it to the organization. The other copies can be made from this corrected copy.

All officers and enlisted men must present themselves at the pay table in order to receive their pay from the paymaster in person, and must be identified by their immediate commanders, as no money will be paid on orders, verbal or written.

All absences without leave for more than twenty-four hours, occurring after the departure from the home rendezvous, should be noted under the head of remarks.

ORDNANCE DEPARTMENT.

Each organization of the militia should arrive at the camp properly armed and equipped, as issues of ordnance and ordnance stores will be limited to blank ammunition.

No organization will be permitted to have ball cartridges in its possession. No individual will be permitted to have ball cartridges in his possession. Commanding officers should take such action as will insure their organizations arriving in camp without the possession of a single ball cartridge.

There will probably be issued to each organization of the militia, free of expense to the state, such number of blank cartridges as can be procured with the sum allotted for the purpose by the Secretary of War.

In addition to the allowance prescribed in the preceding paragraph, the ordnance officer of the camp will be authorized to issue to organizations of the militia such quantities of blank ammunition for which the governor of the State may make requisition. The cost of all ammunition issued on such requisitions will be charged to the quota of the State, under Section 1661, Revised Statutes. Requisitions for such issues should be submitted to the Secretary of War, in time to insure their

receipt, after approval by the Secretary of War by the ordnance officer of the camp, not later than Organizations of the militia can and should bring to the camp such quantities of blank ammunition, calibers .30 and .38, and for field guns as the governor of the State may authorize.

Small arms blank ammunition will be issued on requisitions of regimental ordnance officers, approved by regimental commanders, and on requisitions of commanding officers of field batteries and independent organizations, approved by the proper authority, under the direction of the chief ordnance officer of the command to whom the requisitions will be submitted. Issues of blank ammunition will be limited to such quantities and will be made at such times as will be prescribed in orders from these headquarters.

Upon the completion of the maneuvers, all unbroken boxes and packages of blank ammunition remaining on hand in the possession of any organization of the militia will be turned in to the chief ordnance officer of the command, in order that the State may receive proper credit therefor.

The chief ordnance officer of the command is charged with ascertaining and reporting the amount of ammunition issued to each regiment and separate organization of the organized militia, to enable the money value thereof to be charged against the proper allotment or to the quota of the state.

SIGNAL CORPS.

Militia Signal Corps companies should bring all visual signaling equipment (flags, heliographs, acetylene lantern, etc.), buzzers, linemen's outfits (climbers, clamps, pliers, etc.), pay out and take up reels, field glasses and telescopes.

Very respectfully,

F. D. GRANT,
Major General, U. S. Army,
Commanding.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, July 19, 1910.

CIRCULAR, }
No. 47. }

The following Schedule of Exercises, Camp of Instruction, at Pine Camp, Jefferson County, New York, in August, 1910, is published for the information and guidance of all concerned:

SCHEDULE OF EXERCISES.

HEADQUARTERS DEPARTMENT OF THE EAST,

GOVERNORS ISLAND, N. Y., JULY 5, 1910

The following schedule of exercises for regular troops and organized militia at the Camp of Instruction at Pine Camp, Jefferson County, N. Y., to be held during the month of August, 1910, is published for the information and guidance of all concerned:

I. REGULAR TROOPS.—CAVALRY AND INFANTRY.

FIRST PERIOD.—*Formation for Attack and Defense.*

- Monday, August 1—Troops and companies.
 Observation of detraining and establishing camp,
 New York Militia.
- Tuesday, 2—Squadrons and battalion.
- Wednesday, 3—Regiments and combined fractions.
- Thursday, 4—Entire regular command.

SECOND PERIOD.—*Advance and rear guards and patrols; disposition for security and information of troops on the march.*

- Friday, August 5—Troops and companies.
- Saturday, 6—Squadrons and battalions.
- Sunday, 7—
- Monday, 8—Regiments and combined fractions.
- Tuesday, 9—Entire regular command. Combined maneuver,
 regulars and militia (New York).
- Wednesday, 10—Observation of breaking camp and entraining of
 militia..

THIRD PERIOD.—*Outposts and Patrols; disposition for security and information of troops in camp and bivouac.*

- Thursday, August 11—Troops and companies; observation of detraining
 and establishing camp; New York Militia.
- Friday, 12—Squadrons and battalions.
- Saturday, 13—Regiments and combined fractions.
- Sunday, 14—
- Monday, 15—Entire regular command.
- Tuesday, 16—As ordered.
- Wednesday, 17—As ordered.
- Thursday, 18—Combined maneuver, regulars and militia (New
 York).

FOURTH PERIOD.—*Maneuvers.*

- Friday, August 19—As ordered.
- Saturday, 20—Study problem; observation of breaking camp and
 entraining of militia.
- Sunday, 21—Observation of detraining and establishing camps
 of Maine, Vermont, Massachusetts and Rhode
 Island Militia.
- Monday, 22—Problem, entire regular command.
- Tuesday, 23—Study problem.
- Wednesday, 24—Problem, entire regular command.
- Thursday, 25—Study problem.
- Friday, 26—Study problem.
- Saturday, 27—Study maneuver problem.
- Sunday, 28—

I. REGULAR TROOPS, ETC.—*Continued.*

- Monday August 29—Combined maneuver, regulars and militia of
Maine, Vermont, Massachusetts and Rhode
Island.
- Tuesday, 30—Study problem.
- Wednesday, 31—Break camp.

FIELD ARTILLERY.

FIRST PERIOD.

- Monday, August 1—As ordered; observation of detraining and estab-
lishing camp, New York Militia.
- Tuesday, 2—Battery, attack.
- Wednesday, 3—Battery, defense.
- Thursday, 4—Combined maneuver, regulars.

SECOND PERIOD.

- Friday, August 5—Battery, advance guard.
- Saturday, 6—Battery, advance guard.
- Sunday, 7—
- Monday, 8—Battery, advance and rear guard.
- Tuesday, 9—Combined maneuver, regulars and militia.
- Wednesday, 10—Observation of breaking camp and entraining of
National Guard.
- Thursday, 11—Observation of detraining and establishing camp,
New York Militia.

THIRD PERIOD.

- Friday, August 12—Battery, duty with outposts.
- Saturday, 13—Battery occupying position at night.
- Sunday, 14—
- Monday, 15—Battery occupying position at night.
- Tuesday, 16—Battery, advance and occupying position.
- Wednesday, 17—As ordered.
- Thursday, 18—Combined maneuver, regulars and militia.

FOURTH PERIOD.

Problems with regular command.

Battery commander will comply with the instructions for their arm
found on page 5, General Orders, No. 11, War Department, 1908.

ENGINEERS AND SPECIAL TROOPS.

Engineers and special troops of the Medical and Signal Corps will
comply with the instructions contained in paragraph 3, page 5, General
Orders, No. 11, War Department, 1908.

II. ORGANIZED MILITIA.

August 1 to 10, inclusive—New York Militia.

Monday, August 1—Will be occupied in establishing camp, drawing rations, etc. The forenoon of subsequent days, with the exceptions noted below, will be devoted to regimental and battalion drills.

The following exercises will be held in the afternoon:

Tuesday, August 2—Advance, rear and flank guards and patrols.
 Wednesday, 3—Outposts and reconnaissance.
 Thursday, 4—Formations for attack and defense, companies and troops.
 Friday, 5—Same for battalions and squadrons.
 Saturday, 6—Same for regiments.
 Sunday, 7—
 Monday, 8—Maneuver.
 Tuesday, 9—Combined maneuver, regulars and militia.
 Wednesday, 10—Breaking camp and entraining.

August 11 to 20, inclusive, New York Militia.

Thursday, 11—Will be occupied in establishing camp, drawing rations, etc. The forenoon of subsequent days, with the exceptions noted below, will be devoted to regimental and battalion drills.

The following exercises will be held in the afternoon:

Friday, 12—Advance, rear and flank guards and patrols.
 Saturday, 13—Outposts and reconnaissance.
 Sunday, 14—
 Monday, 15—Formations for attack and defense, companies and troops.
 Tuesday, 16—Same for battalions and squadrons.
 Wednesday, 17—Same for regiments.
 Thursday, 18—Combined maneuver, regulars and militia.
 Friday, 19—Maneuver.
 Saturday, 20—Breaking camp and entraining.
 21 to 31, inclusive—Maine, Vermont, Massachusetts and Rhode Island Militia.
 Sunday, 21—Will be occupied in establishing camp, drawing rations, etc. The forenoon of subsequent days, with the exceptions noted below, will be devoted to regimental and battalion drills.

The following exercises will be held in the afternoon:

Monday, 22—Advance, rear and flank guards and patrols.
 Tuesday, 23—Outposts and reconnaissance.
 Wednesday, 24—Formations for attack and defense, companies and troops.
 Thursday, 25—Same for battalions and squadrons.
 Friday, 26—Same for regiments.
 Saturday, 27—Maneuver.
 Sunday, 28—

II. ORGANIZED MILITIA — *Continued.*

Monday August 29—Combined maneuver, regulars and militia.

Tuesday, 30—As ordered.

Wednesday, 31—Breaking camp and entraining.

NOTE:—Scheme for the instruction of Engineers and other special troops will be issued separately.

BY COMMAND OF BRIGADIER GENERAL HOWE:

GEO. ANDREWS,

Colonel, Adjutant-General.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, July 22, 1910.

CIRCULAR, }
No. 48. }

The following communication received from the Division of Militia Affairs, War Department, Washington, D. C., is published for the information and guidance of all concerned. The publication referred to may be obtained by organizations as a purchase for cash, through the channel of this office, under provisions of section 17 of the Militia Law.

WAR DEPARTMENT,
DIVISION OF MILITIA AFFAIRS,

WASHINGTON, July 18, 1910.

The Adjutant-General,
State of New York, Albany.

SIR:

I am directed by the Acting Secretary of War to inform you that the Trumpeter's Manual, published by the Lombard Company, Boston, Massachusetts, has been adopted by the War Department for issue to the regular service and consequently can be furnished to the Organized Militia as a charge against funds allotted under Section 1661, Revised Statutes, as amended, or as a purchase for cash under the provisions of Section 17 of the Militia Law at an approximate cost of \$1.00 a copy, the price being contingent upon the number of copies that shall be ordered from the publishers.

Please inform this office as soon as practicable if it is desired to procure any copies of the Manual for the use of your troops.

Very respectfully,

(Signed) E. M. WEAVER,
Colonel, Coast Artillery Corps,
Chief of Division.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,

The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, August 5, 1910.

CIRCULAR, }
No. 49. }

The following "Bulletin of Militia Notes," issued by the Division of Militia Affairs, War Department, Washington, are published for the information and guidance of all concerned.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,

The Adjutant-General.

Official:

.....
*Assistant Adjutant-General.*BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA
AFFAIRS, WAR DEPARTMENT.

July 6, 1910.

1. Hereafter, commencing September 30, 1910, a quarterly index will be issued for the bulletins issued by this office. With a view to facilitating references to the notes contained in the bulletins, the latter will hereafter be paged consecutively for each quarter. No index will be issued for back bulletins.

2. When a disbursing officer receives notice from the Auditor for the War Department of a disallowance in the settlement of his account, he should submit, with the least practicable delay, such explanation, with any additional authorities or vouchers, as may be required to remove the disallowance. If the action of the Auditor is not acquiesced in, the disbursing officer may, if he so desires, file an appeal with the Comptroller of the Treasury. Unless it is his intention to file such an appeal, or to secure other and appropriate relief, he should promptly concede the disallowance, and make, if necessary, a deposit of the amount involved to the credit of the Treasurer of the United States in the depository where the United States funds for which he is responsible are deposited, to the credit of the appropriation "Arming and Equipping the Militia."

The right of appeal to the Comptroller of the Treasury is limited to one year from the date of the disallowance, in default of which the matter will be presented by the Treasury Department to the Department of Justice for prosecution.

3. Brigadier General W. W. Wotherspoon, U. S. A., commanding the joint army and militia camp of instruction at Gettysburg, Pa., in a

circular letter to the Adjutants-General of the States whose troops will participate in the encampments at Gettysburg makes the following suggestions in regard to preliminary sanitary inspection of troops:

"All enlisted men should be inspected by a medical officer within 24 hours prior to their departure from their home stations for the camp. This with a view to detection and elimination from the camp of cases of contagious diseases, including typhoid fever. This inspection should result not only in the exclusion from the command of men in the incipient stages of contagious diseases, but also of men physically unfit to accompany the troops and participate in the field exercises. A record of this inspection should be kept, as commanding officers of brigades, or regiments and separate organizations not brigaded, will be expected to furnish the camp commander with a certificate as to the result of the inspection on arrival at camp."

In connection with the foregoing, the Adjutant-General of a State made inquiry; first, as to the nature and necessity of the order; second, as to the difficulty of carrying out the order due to the scattered disposition of the troops; third, as to whether medical officers of other organizations than those ordered to the camp could receive a per capita payment for making the physical examinations required; and, fourth, whether civilian physicians could be employed at the home stations of the companies and a per capita rate be paid them for making the examinations.

In reply thereto the Chief, Division of Militia Affairs, by direction of the Acting Secretary of War, advised as follows:

"It was not intended that that portion of the memorandum issued by General Wotherspoon under date of May 24, 1910, quoted within, should be considered in any way as an order, but simply as a suggestion.

"The physical examination contemplated therein is thought to be an essential military sanitary precaution that should be taken always preliminary to the mobilization of any body of troops, whether in State encampments under section 14 of the Militia Law, in joint encampments under section 15 of the Militia Law, or in mobilization for war. It is a precaution that has been recommended as desirable by many medical officers, by reason of epidemics of typhoid fever, smallpox, diphtheria, and other contagious diseases that have developed in encampments from infection of cases that originated prior thereto.

"As a military precaution, bearing on the health and physical fitness of the troops for field service, it is thought that the customary administrative scheme in the assembling of troops in all cases, whether regulars or militia, should provide for such a preliminary examination.

"If such an examination can not be made by the medical officers attached to the regiment at their home stations before they are grouped in the larger units, it is thought that it should be done

as soon as the units have been so grouped as to include the presence of medical officers.

"If it is not possible or practicable to have medical officers of the regiment make the physical examination of the men of the several companies of the regiment at their home stations within twenty-four hours prior to their departure, because of the scattered disposition of the companies, it is thought that it would be a legitimate expenditure of Federal funds allotted to the State under Section 1661, Revised Statutes, as amended, to order medical officers other than those that are attached to the regiment to the performance of this duty, and that these officers, while so engaged, could receive the pay of their grade and the cost of their transportation. As a military duty, bearing upon the efficiency of the troops for field service, it would be proper to make assignments from the medical officers of the National Guard of the State at large to perform this duty.

"Apart from the fact that civilian physicians do not have an adequate conception of the bearing of such examinations on camp sanitation and the military efficiency of large bodies of troops, and the desirability of having such examinations made by medical officers, it is doubtful whether the Auditor for the War Department would pass vouchers for the employment of civilian physicians, inasmuch as it would probably be held that such duty is a proper duty for the medical officers of the State forces.

"As it is considered by the Department to be a proper military duty for the medical officers of the State, it is not thought that the Treasury Department would approve, nor would the War Department recommend approval of, a per capita payment to medical officers of the National Guard making such examinations.

"It is hoped, therefore, that the military authorities of the State will be able to find some way in which the suggestions of General Wotherspoon may be carried out. If not, the fact should be reported immediately to General Wotherspoon, in order that such a physical examination may be made of the personnel of the National Guard immediately upon its arrival in camp at Gettysburg."

4. In reply to a request for authority to clear all accounts of certain obsolete books of instruction, either by return of such publications and allowance to the credit of the allotment to the State, or by exchange for publications suited to the present requirements of the service, the Adjutant-General of a State has been informed as follows:

"If the publications in question are not those specified in General Orders, No. 179, War Department, series of 1904, they should be acted upon by a surveying officer in accordance with the provisions of paragraphs 49 to 55, inclusive, of the Militia Regulations. Such of the publications as come within the provisions of General Orders, No. 179, may be dropped as obsolete.

"The Department can make no use of obsolete publications and their return thereto is not desired.

“No credit can be given a State, or new issues made in exchange, for publications of obsolete issue.”

5. The following letter has been transmitted to the Adjutant-General of a State:

“Referring to your letter of July first, in which you make reference to paragraph 5 of the Bulletin of Militia Notes, June 29, 1910, wherein it is stated that ‘all arrangements for the transportation and payment of the accounts of the transportation companies are made by the Quartermaster’s Department of the Army,’ and in which you refer to circular letter from the Chief Quartermaster, Department of the East, in which he says, that ‘Under General Orders No. 173, War Department, 1909, I have the honor to inclose herewith the following mentioned blanks for use in providing transportation for militia organizations of your State that are to participate in maneuvers at Pine Camp, New York, in August, 1910. (The blanks include transportation requests and copies thereof, forms of contract for transportation, bills of lading and bills of lading memorandum, shipping orders, etc., and forms of circular inviting proposals.)’ You say that while you do not wish to shirk either responsibility or labor, it would greatly relieve your office if arrangements could be made by the Chief Quartermaster, Department of the East, as you have no staff assistants in either department.

“It is not necessary that Adjutants-General personally attend to matters of transportation. One of the objects of maneuvers is that staff officers of the Organized Militia shall have opportunity to practice the functions connected with their positions. It was therefore considered desirable that *regimental* quartermasters and commissaries and *battalion* quartermaster and commissaries should be assigned some duties in connection with the mobilization, transportation, and subsistence of the militia in going to and coming from the encampments. If you, therefore, were to carry out the scheme that the War Department had in mind, in connection with this matter, you would call upon the *regimental* staff officers and *battalion* staff officers to accomplish the desires of the Chief Quartermaster, Department of the East, acting as his agents; that is, if you were to instruct the *regimental* quartermaster to place himself in direct communication with the Chief Quartermaster, Department of the East, to act as his agent in all matters pertaining to the transportation of your troops, and the *regimental* commissary to place himself in direct communication with the Chief Commissary, Department of the East, in reference to matters of supplies, and direct these officers to carry out the instructions they should receive from the Chief Quartermaster and Chief Commissary, Department of the East, respectively, you would, it is thought, be able to relieve yourself entirely of all duties in this connection, and throw upon the *regimental* staff officers referred to the proper duties of their position with such professional advantage to them.

"If, however, the matter can not be handled in this way, and you have not the clerical assistance to enable you to do it in your office, it would be perfectly proper and very desirable that you should present the situation to the Chief Quartermaster, Department of the East, explaining to him that you regret very much that you are unable to assist him in the way he requests in his letter, and must ask, therefore, that he make other provisions for the accomplishment of the objects mentioned therein."

July 13, 1910.

1. The word "Pistol" will be substituted for the word "Revolver" now prescribed as a part of the inscription on the badges awarded for qualifying in pistol practice. The Organized Militia will be allowed to pursue the same course in pistol firing as is pursued by the Regular Army and in cases where the course is followed to the satisfaction of the War Department, the prescribed badges will be issued to those who qualify therein.

2. Requests for permission to purchase for cash, under the provisions of Section 17 of the Militia Law, should be made separately for the articles furnished by the several supply departments, and drafts or checks in payment thereof should be drawn in favor of the head of the supply department and not to the order of the Chief, Division of Militia Affairs.

3. If no payments are made to the militia by paymasters of the Regular Army from the appropriation "Encampment and Maneuvers, Organized Militia," their muster for pay will not be made by officers of the regular service.

The disbursing officer of the Organized Militia of the State appointed under the provisions of Section 14 of the Militia Law, must be bound by the requirements of paragraph 185, Militia Regulations, which are that no *payments* shall be made to members of the Organized Militia from Federal funds, unless they shall have had the military service specified therein. This restriction, however, does not apply to the subsistence and transportation of the men, and the expenses of these two items may be met from United States funds.

4. The only payment that can be made to a disbursing officer of the Organized Militia, in connection with the participation of troops in the joint camps of instruction under Section 15 of the Militia Law, is for services as indicated in paragraph 68 of the Militia Regulations, i. e., for the time actually consumed in making payment to the officers and men and in the preparation of his accounts for submission to the War Department, not to exceed the time fixed by law, which is twenty days.

5. An officer of the National Guard below the grade of major, who is required to be mounted during field service, may be provided with a hired mount and the cost of such hire paid for from funds to the credit of the State under Section 1661, Revised Statutes, as amended, or he may provide a mount at his own expense. In the latter case he receives the pay of his grade and is also paid at the rate of \$150 a year for

the time he is required to be on such duty. Such extra pay commences from the day the officer leaves his home station to take part in the service and is accounted for on Form 3, Payroll, and notation to the effect that the officer is entitled to mounted pay should be entered in column 5 under the heading of Remarks.

6. The Department does not contemplate issuing regulations governing State rifle competitions. The disposition of the funds paid in as entrance fees to State rifle competitions is a matter which lies in the discretion of the State authorities. It should be understood, however, that funds allotted under Section 1661, Revised Statutes, as amended, can not properly be used for the payment of cash prizes and in the purchase of medals and prizes to competitors who are not members of the Organized Militia.

7. In reply to a request for information as to whether it will be necessary to make requisition for United States transportation requests to use on the movement to the Gettysburg encampment, the Adjutant-General of a State has been informed that, in view of the fact that the transportation of the State troops to Gettysburg will be defrayed from the appropriation "Encampment and Maneuvers, Organized Militia," arrangements for the movement will be made by the Chief Quartermaster, Department of the East, or by the officer of the militia who may be designated to act as the agent of the Quartermaster's Department. All necessary blank forms and instructions may be obtained from the Chief Quartermaster of the Department.

8. On the Adjutant-General of a State awarding contracts to railroad companies for the transportation of the State troops to the joint camp of instruction, the railroad companies involved refused to sign the contracts for such transportation on account of a clause being contained therein that "unless it is subsequently found that they are in excess of tariff rates less land grant or other lawful deductions to which the Government is entitled, then the lower rate will govern in settlement." An opinion thereon being requested, the Adjutant-General of the State has been advised that, if the railroad companies in the State refuse to sign an agreement for the transportation of the militia to and from the camp, which contains the clause quoted above, the State authorities should submit all bids received to the Chief Quartermaster of the proper territorial department for check and information as to whether or not the rates are in excess of the commercial rates less land-grant deductions; if not, the bids to be accepted and movement forwarded in connection therewith; if in excess of the commercial rates with land grant deductions, bids to be rejected, so far as pertains to freight movement, and the impedimenta to be forwarded without competition, at commercial rates available to the general public, less land grant deductions, settlements to be made by the Chief Quartermaster of the Department at the rate available without competition.

9. The Provisional Drill Regulations for Signal Corps troops, Manual of Visual Signalling, and Signal Corps Manuals Nos. 1 to 7, inclusive, describe the essential features of the organization, equipment, and drill of the Signal Corps branch of the service.

10. On a request being received from the Adjutant-General of a State that the State battery of field artillery, armed with the 3.2-inch

rifles, which is scheduled to participate in the joint camp of instruction at Fort Riley, Kansas, in August, next, be sent without guns or horses, and assigned to regular batteries at the camp, he has been informed that, as the Department is of the opinion that it will be of little use or profit to bring the old 3.2-inch field battery equipment to the maneuvers, his request is approved, and the officers and enlisted men will be assigned to the regular batteries, encamp with them and participate in all their duties and thus become familiar with the rapid fire guns pertaining to the new 3-inch field artillery material.

11. The following letter has been transmitted to the disbursing officer of a State, who requested information as to whether the approval of his bond and the forwarding thereof to the Treasury Department closes the matter or if there are any other formalities to be gone through before Government funds can be placed to his credit, as to whether he is to be considered as a United States disbursing officer, and as to the method of procedure to be followed in making requisitions for funds, etc.:

"The bond furnished by you having been approved by the Department and forwarded to the Treasury Department for file, is fully complete. There are no further requirements to be complied with as conditions precedent to the Governor making a request on the Secretary of War for funds to be placed to your official credit as disbursing officer.

"Section 14 of the Militia Law provides, inter alia, that the officer designated and appointed by the Governor as a disbursing officer shall be regarded as a disbursing officer of the United States.

"Official communications should be signed with the pen and not by fac-similes. Signatures should be plainly and legibly written with the rank and regiment or corps of the writer annexed. You should subscribe yourself as United States disbursing officer for the Organized Militia of * * *.

"The regulations to be observed by disbursing officers of the Organized Militia are contained in the Regulations of the War Department governing the Organized Militia, of which they are enjoined to inform themselves."

12. In reply to a request for information as to whether white trousers, aprons, and caps can be issued to the Organized Militia for the use of cooks, and the cost thereof, the attention of the Adjutant-General of a State has been called to the provisions of General Orders, No. 93, War Department, series of 1908, which provides for the issue of white coats and trousers to the enlisted men of the hospital corps and cooks and bakers only. Aprons are not supplied by the Quartermaster's Department. The white caps are issued only to enlisted men of the Army on duty at general recruiting stations. The white coats and trousers may be obtained on requisition in the usual way, or as a purchase for cash under the provisions of section 17 of the Militia Law, at a cost of 83 cents each for the coats and 82 cents each for the trousers.

13. In reply to a request for information as to whether a State may not have the permission of the Secretary of War to use the camp

grounds and rifle range at Fort Benjamin Harrison, at the conclusion of the joint maneuvers, for a period of two days, to permit such of the organizations as have no rifle ranges at their home stations to qualify in rifle practice, the Adjutant-General of a State has been informed that, inasmuch as the ground covered by the range for two and one-half miles in rear of bullet stop is in the very heart of the maneuvering ground and must be utilized for this purpose by other troops, during the period September 21 to 30, it would be impossible to grant this request on account of the danger.

14. In reply to an application by a State on the Pacific coast for permission for a sergeant of its Organized Militia to pursue the course of study in the Enlisted Men's Division, Coast Artillery School, Fort Monroe, Virginia, the Adjutant-General of a State has been informed that, on account of the expense involved, the Department is constrained to deny the application.

15. In reply to a request for blank forms on which to make requisition for campaign badges, together with the necessary directions as to how to procure these medals from the Government, the attention of the Adjutant-General of a State has been invited to Circular, No. 4, Division of Militia Affairs, March 15, 1909, containing instructions as to the manner of procuring campaign badges. There is no blank form issued for this purpose; a form the same as the model form shown in General Orders, No. 129, War Department, series of 1908, should be made and used for the purpose. Requisitions for badges should be submitted in the usual way, accompanied by lists, in duplicates of officers and enlisted men entitled thereto.

July 20, 1910.

21. Under the contracts now in force for the Army field ranges and equipments for the fiscal year, 1911, the prices are as follows:

No. 1, stripped	\$13.65
No. 2, stripped	10.34
No. 1, equipped, without kettles	25.55
No. 2, equipped, without kettles	17.46
No. 1, equipped, with 3 camp kettles	26.06
No. 2, equipped, with 1 camp kettle	17.63

22. The Trumpeters' Manual, published by the Lombard Company, Boston, Massachusetts, has been adopted by the War Department for issue to the regular service and consequently can be furnished to the Organized Militia as a charge against funds allotted under section 1661, Revised Statutes, as amended, or as a purchase for cash under the provisions of section 17 of the Militia Law at an approximate cost of \$1 a copy, the price being contingent upon the number of copies that shall be ordered from the publisher.

23. In reply to a request for information as to whether an application for three non-commissioned officers of the Regular Army for duty with a State will be approved, the Adjutant-General of a State has been informed that the non-commissioned officers for this duty are now undergoing a seven weeks' course of instruction at Fort Leaven-

worth, Kansas, and will be available for detail to the State about the first of September.

24. A soldier whose term of enlistment has expired and who re-enlists, does not continue in the same grade attained by him in his preceding enlistment, but such a soldier must begin his target practice in his new enlistment as though he had never had prior service.

25. In reply to a request for information as to whether the subsistence of civilians employed upon a rifle range leased by the United States, during a camp for instruction in target practice and for which the troops receive pay and subsistence from United States funds, is properly chargeable to the allotment to the State from Federal funds, the Adjutant-General of a State has been informed that such subsistence is not properly chargeable to the allotment to the State under section 1661, Revised Statutes, as amended. Civilians so employed must make arrangements to furnish their own subsistence or be subsisted at the expense of the State.

26. The paragraphs of the bulletin for the week of July 13, 1910, should be numbered consecutively from 6 to 20. Hereafter paragraphs of the bulletin will be numbered in rotation through an entire quarterly period.

July 28, 1910.

27. Ball cartridges, caliber .30, model of 1906, for the United States magazine rifle, model of 1903, are packed 60 in a bandoleer and 20 bandoleers in a box, making 1200 rounds of ball cartridges in each package. In submitting requisitions for those cartridges, such number thereof should be called for as will make even boxes of 1200 rounds each. When broken boxes are issued, it causes considerable avoidable trouble and additional expense in packing.

28. The Adjutants-General of the States and Territories have been requested to furnish the War Department with copies of the enlistment blanks used by the Organized Militia for file in the office of the Chief, Division of Militia Affairs.

29. In accordance with the provisions of General Orders, No. 132, War Department, July 11, 1910, a field service school for medical officers has been established as a part of the Army Service Schools at Fort Leavenworth, Kansas. This school will be known as The Army Field Service School for Medical Officers. The course of instruction will cover a period of not less than six weeks, beginning about April 1st of each year.

Selection of student officers will be made as follows:

(a) The Surgeon-General will submit to the Adjutant-General of the Army, not later than January 1st of each year, the names of not less than four nor more than eight officers of the Medical Corps whom he recommends for detail for instruction in the school.

(b) Medical officers of the Organized Militia who may apply for entrance and whose admission may receive the approval of the Secretary of War, not to exceed a total of six in any one session, may also be detailed for instruction in the school, subject to the provisions of

paragraphs 6, 11, 13, 15, 16, and 17, General Orders, No. 69, War Department, 1910.

The course of study will be conducted under the three existing departments of the Army Staff College, as follows:

I. The Department of Care of Troops, comprising (a) duties of the Medical Department in the field; general sanitary organization; the details of organization of the various sanitary units; the functions of administrative medical officers; sanitary equipment and supply; the transportation service of the front; range of modern weapons; battle casualty percentages; location and function of mobile relief organizations during action; sanitary service of the line of communications and of the base; the use of the Red Cross and other voluntary aid associations. (b) The civil function of the Medical Department in occupied territory. (c) The preparation of a scheme for the organization, equipment, and supply of the Medical Department of a large military force, either expeditionary or on the defensive.

II. The Department of Military Art, comprising the organization and administration of troops in the field; orders; the elementary principles of tactics; staff administration and supply.

III. The Department of Engineering, comprising (a) Military topography, map reading; the principles and practice involved in the use of all classes of maps for military purposes. (b) Military topography, sketching; the principles and practice involved in the rapid making of a simple road and position sketches.

Instruction will be by lectures, conferences, problems, terrain exercises, and the practical use and direction of organized field sanitary units.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *September 26, 1910.*

CIRCULAR, }
No. 50. }

It is desired to make the quarterly List and Directory of Officers of the National Guard and Naval Militia as complete and reliable as possible, and for this purpose commanding officers of all organizations are directed to furnish The Adjutant-General of the State with the personal addresses of all officers of their respective commands.

By command of the Governor:

WILLIAM VERBECK,

The Adjutant-General.

OFFICIAL:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK.

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *October 10, 1910.*

CIRCULAR, }
 No. 51. }

The following "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA AFFAIRS, WAR DEPARTMENT.

September 14, 1910.

61. No bulletin was issued for the week ending September 7, 1910.

62. In reply to a request for information as to whether the cost of repainting and repairing two ambulances, issued by the War Department to a State for the use of its Organized Militia, can be paid from funds allotted under section 1661, Revised Statutes, as amended, the Adjutant-General of a State has been informed that it is the duty of a State to keep the ambulances so issued, equally with other property issued for the use of the Organized Militia, in condition for active field service at all times, and the cost of making repairs constitutes a charge against the allotment of the State under section 1661, Revised Statutes, as amended, which is the fund out of which the ambulances were originally purchased.

63. Officers and enlisted men are entitled to pay for the time spent in traveling from their home stations to encampments and return and not only to pay for time spent in traveling from the headquarters of the organization of which they are a part to the camp and return.

64. In reply to a request for permission to organize a company of boys, the guns, uniforms, and other equipment to be supplied by the Department, information was given that the organization of independent companies in a State is a matter of State regulation. There is no authority of law for the issue of any military supplies of the United States to such an organization. However, if the company is organized as a rifle club and affiliated with the National Rifle Association of America, the necessary arms and pertaining equipments may be purchased through the Governor of the State, under the provisions of the act of March 3, 1905.

65. In reply to an application to attend an Army service school for four or five months, to take a special course of study, the attention of the Adjutant-General of a State has been invited to the provision contained in section 16 of the Militia Law, which prescribes allowances for officers and enlisted men of the Organized Militia whenever they shall "attend and pursue a *regular* course of study at any military school or college of the United States."

Under this provision, the Department does not consider that authority can be given to an officer of the Organized Militia to attend an Army service school for a period of five months to take a course of instruction in any *special* course. The *regular* course of study at the Army service school is given in General Orders, No. 69, War Department, current series. Should an officer desire to take this regular course, an application for permission to do so, approved by the Governor and accompanied by the papers prescribed in paragraph 223, Militia Regulations, should be made to the Chief, Division of Militia Affairs.

66. Paragraph 24, Special Orders, No. 209, War Department, September 7, 1910, details Colonel E. M. Weaver, Coast Artillery Corps, Chief of the Division of Militia Affairs, as a member of the General Staff Corps, to take effect October 2, 1910.

Paragraph 25 of the same order also details Colonel Weaver as an assistant to the Chief of Staff to take effect upon the date of his detail as a member of the General Staff Corps.

66. Paragraph 68 of the Militia Regulations provides that if a disbursing officer is a member of the Organized Militia and participated in the encampment thereof, he can be paid for the time actually consumed by him in making payment to the officers and men and in the preparation of his accounts for submission to the War Department (notwithstanding such payment is made after the encampment), the pay of his rank or grade, not to exceed twenty days.

The time which may be claimed by the disbursing officer as being necessary to accomplish these services, is a matter for determination by the Governor of the State, and the voucher for payment for such services should be supported by his certificate as to the time necessarily consumed by the disbursing officer in making payment to the troops and in the preparation of the disbursing accounts.

September 21, 1910.

68. The stock of Signal Corps type "A" field glasses, selling at \$12.15 each, has been exhausted. The new type "A" field glass, selling at \$14.75 each, will be in stock about October 1, 1910, and may be procured on requisition of the Governors of the several States and Territories in the usual way, with charge against the allotment under section 1661, Revised Statutes, as amended, or as an issue from the amount set aside by the Secretary of War under the act of May 27, 1908, for the purpose of making issues of supplies to the Organized Militia, or as a purchase for cash under the provisions of section 17 of the Militia Law.

69. The cost of shipments of equipments from State arsenals to stations of organizations prior to the movement of organizations to joint camps of instruction cannot be paid from funds appropriated under "Encampment and Maneuvers, Organized Militia." Allotments for transportation under this appropriation contemplate only transportation from *home* stations to encampments and return.

70. A State cannot be reimbursed from funds allotted under section 1661, Revised Statutes, as amended, for the loss of a horse which died from injuries received at joint maneuvers.

71. The garrison school at Fort Walla Walla, Washington, will be discontinued about October 1st, 1910.

72. Russet leather belts and cartridge boxes cannot be issued as a charge against the amount set aside by the Secretary of War under the act of May 27, 1908, for the purpose of making issues of military supplies to the Organized Militia, as they are not articles of field equipment.

73. An officer on the retired list of the United States Army can lawfully hold a commission in the Organized Militia of the United States, and, under such commission, may perform the duties of a surveying officer. In case of detail to perform this duty, however, the title of the officer as a member of the Organized Militia should be given in the order, and not the title which he bears as an officer of the Army.

74. Paragraph 223, Militia Regulations, provides that the application of an officer of the Organized Militia to attend an Army service school must be accompanied by the following papers: An affidavit of the nominee, stating his age, citizenship, and length of service in the Organized Militia, and agreeing, in case the course is once entered upon, to attend and pursue the course of study at the school designated, and to be bound by and conform to the rules and discipline imposed by its regulations; a certificate of a medical officer of the Organized Militia, or of any other physician in good standing, showing the physical condition of the nominee, and a certificate from the colonel of the regiment, or other satisfactory person, as to the good moral character and preliminary educational qualifications of the nominee.

Particular attention should be given to see that all necessary papers accompany the application, as the failure to do so necessitates returning the application for completion and thus probably incur a delay that will prevent the applicant presenting his papers in time for action that will enable him to enter upon the course of study he may desire to pursue.

September 28, 1910.

75. "A Study in Troop Leading and Management of the Sanitary Service in War," by Major John F. Morrison, General Staff, and Major Edward L. Munson, Medical Corps, United States Army, has been approved by the War Department for use in the Regular Service. This action makes the publication available for issue to the Organized Militia under section 1661, Revised Statutes, as amended, or as a sale for cash under the provisions of section 17 of the Militia Law.

Copies thereof may be procured on requisition in the usual way, at approximately the following prices:

- (1) Limp leather, round corners, gilt edge, \$1.25.
- (2) Olive drab cloth, at 70 cents.
- (3) Tough paper binding, cloth back, at 50 cents.

76. Pending the receipt of standard azimuth instruments, type "B" Lewis Depression Position finding instruments will be issued for use in Coast Artillery Reserve Armories, after charge of their value against the appropriation under section 1661, Revised Statutes, as amended, or the act of May 27, 1908. When the azimuth instruments shall have been issued, a recredit will be given on the return of the type "B" Lewis Depression Finding instruments to the amount expended therefor.

77. The twelve-inch war game map of Fort Leavenworth (same area as included in the four-inch Leavenworth map) can be obtained for sixty cents each. The new war game map of Gettysburg and vicinity, twelve inches to the mile, can be obtained at four cents a sheet. Areas represented by over eighty-five different sheets have already been mapped; each sheet represents an area one and one-half miles square. A photographic reduction of this war game map, three inches to the mile, will be used in solving most of the map problems at the Army service schools during the present school year.

These maps may be obtained on requisition in the usual way, after charge of their value against the allotment to the State under section 1661, Revised Statutes, as amended, or the amount set aside by the Secretary of War under the act of May 27, 1908, for the purpose of making issues of supplies to the Organized Militia, or as a purchase for cash from State funds under the provisions of section 17 of the Militia Law, or they may be purchased directly from the Secretary, Army Service Schools, Fort Leavenworth, Kansas, from whom may also be obtained a guide map of Gettysburg and vicinity, to be used in ordering the Gettysburg war game sheets.

78. Paragraph 7, General Orders, No. 170, War Department, September 9, 1910, provides that, pending the publication by the War Department of the standard to be attained by commissioned officers of the Coast Artillery Reserves, no standard will be announced or any examination of such officers held by department or other commanders.

79. The Army Revolver Course, qualification in which entitles members of the Organized Militia to the prescribed badge, is fully described in the Small Arms Firing Manual, 1909, copies of which may be obtained on requisition in the usual way.

80. The Secretary of War recently made a ruling that the cadet organizations of educational institutions are not properly a part of the Organized Militia. In view of this ruling, it is the opinion of this office that officers of the Army should not be detailed to inspect the personnel of such organizations.

81. The publications named below have been adopted for issue to the Regular Army and may be procured by the Organized Militia at

the price stated, on requisition in the usual way, as a charge against the allotment from the appropriation under section 1661, Revised Statutes, as amended, or as a purchase for cash from State funds under the provisions of section 17 of the Militia Law:

Medical Service in Campaign, a handbook, by Major Paul F. Straub, Medical Corps, United States Army, \$1.35.

Tactical Principles and Problems, by Captain Matthew E. Hanna, Third Cavalry, United States Army, \$1.50.

Ordnance Property Regulations, 1909, 40 cents.

Major Straub's book may also be purchased directly from the publishers, Messrs. P. Blakiston's Sons Company, Philadelphia, Pennsylvania.

Captain Hanna's book may also be purchased directly from the Infantry Journal, Washington, D. C., or the Cavalry Journal, Fort Leavenworth, Kansas.

October 5, 1910.

1. The War Department is at present considering the organization of balloon and aeroplane corps.

2. The price given in paragraph 81 of bulletin for quarter ending September 30, 1910 (issue of September 28, 1910) for the publication "Tactical Principles and Problems," by Captain Matthew E. Hanna, is erroneous. The cost of this publication is \$2.40, instead of \$1.50 as stated.

3. Articles of tentage (equipage) cannot be included under the head of clothing in making use of the dropping allowance under section 13 of the Militia Law.

4. In reply to a request for information as to what procedure should be followed on the return of tents loaned by a State for use in connection with the recent forest fires in the Northwest, the Adjutant-General of a State has been informed that, if the tents are in an unserviceable condition when returned to the State, the action of a surveying officer of the Organized Militia of the State, in accordance with paragraph 49 of the Militia Regulations, will be necessary to enable the Governor to drop the tentage from his return of quartermaster's supplies.

5. The War Department, in allotting the funds from the appropriation "Encampment and Maneuvers, Organized Militia," endeavors to meet the entire cost of one or more items of pay, subsistence, and transportation, based on the estimates submitted by the State authorities. It is not contemplated that the allotment to any State shall defray all of the expenses connected with the participation of its Organized Militia, but that State funds, or funds to its credit under section 1661, Revised Statutes, as amended, or both, shall be drawn upon for this purpose. As a matter of fact, the allotments made to some States are insufficient to meet fifty per cent. of the expenses of the participation of their Organized Militia in the maneuvers, and consequently, the deficiencies have to be met as indicated above.

The troops are entitled to transportation from home stations to place of encampment and return thereto. The War Department holds

that a short detention at a place of rendezvous, for the purpose of conducting target practice, does not operate to prevent payment of the transportation from the special appropriation for the maneuvers.

Any balances which may remain, after the expenses of pay and subsistence have been settled, cannot be applied to transportation, but must be covered into the Treasury Department for reallocation to meet such expenses in connection with the maneuvers as arise from time to time.

The payment of the transportation account is a matter with which an Army paymaster has no concern, nor is he competent to decide about the payment thereof. These accounts are settled by officers of the Quartermaster's Department.

The allotment referred to is based on the strength of the organizations as shown in the estimate submitted to the Department. Consequently, any reduction in the number of men to take part in the maneuvers should be communicated to the Division of Militia Affairs, together with a revised estimate of expenses.

6. In considering the application of a civilian, who holds a certificate of eligibility for a commission as a major in any volunteer forces that may hereafter be organized under authority of Congress, to attend a garrison school, it was shown that the applicant was 39 years of age.

Section 23, of the act of Congress, approved January 21, 1903, referring to persons holding certificates of eligibility for commissions in volunteer forces, states: "And the President may authorize persons from this class, to attend and pursue a regular course of study at any military school or college of the United States other than the Military Academy at West Point and to receive from the annual appropriation for the support of the Army the same allowances and commutations as provided in this act for officers of the Organized Militia."

In the absence of the regulations of the President governing the attendance of such persons at service and garrison schools, the regulations for admission of officers of the Organized Militia should govern where applicable. Paragraph 49, of the regulations governing garrison schools, General Orders, No. 70, War Department, current series, provides that: "In order to be eligible to attend a garrison school, officers of the Organized Militia must be * * * not less than 21, nor more than 35 years of age." The reasons for excluding officers of the Organized Militia of more than 35 years of age are equally applicable to civilians holding certificates of eligibility for commissions in volunteer forces.

7. The use of Form No. 22, "Return of Field Medical Property," has been discontinued and Forms No. 17, 17a, 17b, and 17c, Medical Department, has been substituted therefor.

In making request for a supply of this new form, requisition should be made for one copy each of Forms 17a and 17b for each article carried on the return of the Governor, and for three copies each of Forms 17 and 17c. Instructions for the use of the forms will be found on the back of Form No. 17.

8. The cost of transportation, in excess of the cost of a ticket via the direct route, is not a proper charge against the appropriation "Encampment and Maneuvers, Organized Militia," as the law contemplates payment of transportation *directly* from home stations to the camp and return.

9. The cost of medicines procured for members of the Organized Militia, admitted to field hospitals of the Army in connection with joint camps of instruction, may be paid from funds in the hands of the disbursing officer of the Organized Militia of the State concerned accruing under section 1661, Revised Statutes, as amended.

10. Horses may be hired for the use of officers attending and participating in joint camps of instruction, whose duties require them to be mounted, and the cost of the same paid for by the disbursing officer of the Organized Militia from funds in his hands under section 1661, Revised Statutes, as amended. However, officers required to be mounted, who are furnished with mounts obtained with funds appropriated under the section cited, are not entitled to additional pay, under the act of May 11, 1908, and only officers who are the owners of the mounts furnished by them are entitled to such pay.

11. The question as to whether or not officers of the Organized Militia are allowed to carry pistols while on duty at a State encampment is a matter of State law, and one over which the War Department has no control.

12. Transfers and assignments of a claim, or of any part thereof, or interest therein, whether absolute or conditional, and whatever may be the consideration therefor, and of powers of attorney, orders or other authorities for receiving payment of any such claim, or of any part or share thereof, are absolutely null and void unless they are made and executed in the presence of at least two attesting witnesses, after the allowance of such a claim, the ascertainment of the amount due, and the issuing of a check for the payment thereof. The operation of this law prevents the embarrassment of dealing with several persons, instead of with one, by the introduction of interested parties who were strangers to the original transaction. The prohibition of assignments of claims has, however, no application to transfers or assignments by operation of law, such as by the death or bankruptcy of the claimant, or even by voluntary assignment for the benefit of creditors. (Borchering v. U. S., 223.)

13. Russet leather shoes, old pattern, are not available for issue.

14. No hat devices have been provided by the War Department for troops of the Organized Militia other than those belonging to the First Field Army (see General Orders, No. 89, War Department, current series).

15. Wooden frames and vertical legs for the Aiken standard target may be dropped from a Governor's return of ordnance and ordnance stores on the certificate of the responsible officer to the effect that these articles have been used in the repair of targets.

16. The supply of the Manual for the Medical Department, 1906, has been exhausted. A new edition is now in course of preparation, but it will be several months before it is ready for issue.

17. Requisitions for campaign badges, for issue to the Organized Militia, should be accompanied by lists, in duplicate, of officers and enlisted men entitled to the same, as prescribed in paragraph 8, General Orders, No. 129, War Department, series of 1908 (see Circular No. 4, Division of Militia Affairs, March 15, 1909). Observance of this requirement will prevent delay in the issue of the badges.

18. Non-commissioned officers belonging to arms of the service other than infantry, who are selected for detail with the Organized Militia under section 20 of the Militia Law, are transferred to the infantry arm prior to their detail.

19. The duties of enlisted men of the Regular Army, detailed for service with the Organized Militia, include all matters pertaining to the theoretical and practical instruction of the Organized Militia which may be assigned to them by the officer of the State under whose orders they are serving.

It is, therefore, entirely proper for the Governor of a State to order an enlisted man so detailed to report to the Retired Officer of the Regular Army on duty with the State for duties of a strictly military character.

STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, November 1, 1910.

CIRCULAR,
No. 52. }

The following is published for the information and guidance of all concerned, relative to the payment of volunteers of the Spanish-American War:

There is on hand and available the sum of \$40,027.48, which amount was turned over by the United States for disbursement to certain enlisted men present at camp of rendezvous, Camp Black, Long Island, and Camp Townsend, Peekskill, and armories of the 12th and 22d Regiments, and 1st and 2d Batteries, New York City; 65th Regiment, Buffalo; 41 Separate Company, Syracuse, and 1st Separate Company, Rochester, N. G., N. Y., and were subsequently accepted into the service of the United States in the following organizations.

1st, 2d, 3d, 8th, 9th, 12th, 14th, 22d, 47th, 65th, 69th and 71st Regiments; 201st, 202d and 203d Regiments, New York Volunteer Infantry; Troops A and C, New York Volunteer Cavalry, and 4th, 5th and 7th Batteries, New York Volunteer Artillery.

This amount is for pay due the members of the above organizations, from the date they reported for duty under official call, to date of muster into the United States service for the War with Spain. Soldiers who have made claim for refund and have been reimbursed by the State are not included in the above.

Claimants should be particular to give full name, grade, company and regiment in which service was performed.

Information will be furnished to claimants, or, if deceased, to legal representatives, who will be required to furnish evidence of authority to act.

Commanding officers will give as much publicity to the foregoing as possible, requesting that men interested communicate direct with this office, where full information will be furnished after further procedure.

BY COMMAND OF THE GOVERNOR:

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

THE ADJUTANT-GENERAL'S OFFICE,

ALBANY, *November 14, 1910.*

CIRCULAR, }
No. 53. }

The following, "Bulletin of Militia Notes Issued by the Division of Militia Affairs, War Department," is published for the information of all concerned.

BY COMMAND OF THE GOVERNOR,

WILLIAM VERBECK,
The Adjutant-General.

Official:

.....
Assistant Adjutant-General.

BULLETIN OF MILITIA NOTES ISSUED BY THE DIVISION OF MILITIA AFFAIRS, WAR DEPARTMENT.

For the Quarter ending December 31, 1910.

October 19, 1910.

20. No bulletin of news notes was issued for the week ending October 12, 1910.

21. In reply to a request for information as to whether members of the Organized Militia can purchase United States magazine rifles, model of 1906, for individual use in target practice, same to be individual property and not accounted for by the State, the Adjutant-General of a State has been informed that sales of United States property to

individual members of the Organized Militia are not authorized by law (see paragraph 118, Militia Regulations), but that the rifles may be purchased from State funds under the provisions of section 17 of the Militia Law. The rifles then become the property of the State and are not required to be accounted for to the United States.

22. There is no later edition than that of 1904 of the publication "Instructions for Conducting Correspondence and Keeping Records." The matter contained therein is, to some extent, obsolete, and it is contemplated in the near future to issue a revised edition thereof.

23. Observation telescopes are not issued to batteries, as they pertain only to battalion and regimental equipment.

24. Experiments are at the present time being conducted to find the most suitable type of field artillery telephone. As soon as this is decided on and the instruments purchased, issue of the complete fire control equipment for field artillery batteries will be made on all outstanding requisitions from the Organized Militia.

25. The cost of hiring saddle and draft horses is properly payable from the amount allotted for the transportation of the Organized Militia in connection with their participation in joint camps of instruction.

26. In reply to a request for information as to whether allowances for quarters, heat and light, and the expenses in connection with developing rifle ranges, of a non-commissioned officer of the Regular Army on duty with the Organized Militia can be paid from Federal appropriations for the support of the Militia, the Adjutant-General of a State has been informed that these expenses should be met from State funds.

27. The Secretary of War has expressed to the Adjutant-General of the State of Washington the appreciation of the Department at the excellent showing made by the Coast Artillery Reserves of the State of Washington during the joint coast defense exercises in the Artillery District of Puget Sound, in July last.

28. A question having arisen as to whether the expenses incident to the burial of a member of the Organized Militia, who died at a joint camp of instruction from typhoid fever contracted previous to his attendance at the maneuvers, are properly payable from Federal or State funds, the Secretary of War is of the opinion that the deceased was present at the encampment under the orders of the Governor of the State, that he was at no time in the service of the United States Government, and that therefore the expenses involved are payable neither from the appropriation "Encampment and Maneuvers, Organized Militia" nor the allotment to the State under section 1661, Revised Statutes, as amended.

29. The following opinion of the Judge Advocate-General of the Army, in connection with the standing of cadet corps and their eligibility as members of the Organized Militia, is published for the information of all concerned:

Liability to service in the constitutional militia is regulated by the following enactment:

"The militia shall consist of every able-bodied male citizen of the respective States and Territories and the District of Columbia, and every able-bodied male of foreign birth who has declared his intention to become a citizen, who is more than eighteen and less than forty-five years of age, and shall be divided into two classes: The organized militia, to be known as the National Guard of the State, Territory, or District of Calumbia, or by such other designations as may be given them by the laws of the respective States or Territories; the remainder to be known as the Reserve Militia." Section 1, Militia Law (35 Stat. L., 399).

It will be noted that, in conformity to the foregoing enactment, the active or organized militia of the States, equally with the unorganized or reserve militia, is composed of every able-bodied male citizen between the ages of 18 and 45 years. The requirements of the statute in respect to age are mandatory and persons who have not reached the age of 18 are not liable to, or eligible for duty in either the organized or the unorganized militia.

The reasons for the restriction are not far to seek. It was the obvious intention of Congress in its legislation in respect to the constitutional militia, to secure an efficient military force which could be promptly mobilized should it become necessary for the President to call it forth in the manner, and for the purposes prescribed in the Constitution. An organization of the militia composed, wholly or in part, of persons under 18 or over 45 years of age, would not be an efficient organization of the militia for purposes of active service. The boy under 18 is still undeveloped physically, has little resisting power when exposed to disease and hardship, and, under ordinary conditions, does not possess the qualifications, either physical or mental, which are essential to those who are required to perform active military duty on an occasion of public emergency.

There is another serious objection to the enlistment of persons under the statutory limit of age. The claims of the parent or guardian to the services of the minor are recognized equally by the common law and by the statute of the several States and Territories. As this relation is one not committed to the jurisdiction of the general Government by the Constitution, legislation establishing eligibility for service in the militia, either in time of peace or war, should be strictly construed. In the absence of an express statutory requirement in that regard, it would seem that the right of the parent or guardian to the service of the minor should be regarded as paramount to his personal and unaided offer to enter the organized militia in the operation of a contract of enlistment. In further discussion of this subject, it is proper

to say that were a particular organization, when called into the service of the United States found to be composed of a considerable number of minors under 18 years of age, their connection with the military service could, and probably would, be severed in the operation of writs of habeas corpus, and the Government would thus be deprived of a considerable portion of the enlisted strength of such organization at a time when the need of troops was most pressing.

The several acts for the reorganization of the constitutional militia which have been adopted by Congress constitute an express recognition of the willingness of that body to contribute to the support and maintenance of the militia branch of the constitutional military forces. The purpose underlying the liberal grants of money and property that have been authorized by Congress was to secure the efficiency of the Organized Militia as a part of the constitutional military forces, by contributing to the cost of the training and instructions which are essential to the attainment of such efficiency.

But the efficiency of the general body of the Organized Militia is not advanced, or even maintained at a fair and reasonable standard, if any portion of its enlisted or commissioned strength is composed of persons who are not "able-bodied," or who are prevented by extreme youth, or by the growing infirmities of age, from an efficient performance of the duties which are involved in its active service, either in peace or war; indeed, it was to eliminate disability due to extreme youth or middle or advanced age, that the restrictions in that regard were imposed in the Act of January 21, 1903, as subsequently amended.

It is conceded that the appointing power in respect to the commissioned officers of the militia is vested in the several States; this is a constitutional requirement, which is not subject to statutory regulation. But this power must be exercised with due and reasonable regard to the conditions of eligibility which have been imposed by Congress.

In the application of the clause of legislation hereinbefore cited to the appointment of commissioned officers in the Organized Militia, it would seem to be clear that a person who is less than 18 or more than 45 years of age would be ineligible for *original appointment* as a commissioned officer. It is conceded that the execution of the requirements of the restrictive legislation above cited is left to the proper State authorities in exercising the appointing power in respect to militia officers, and in the preparation of contracts of enlistment in the cases of enlisted men, and it is only necessary to say in that connection that the legislation of Congress in that regard is obligatory upon the officers of all branches of the State governments in the operation of their respective oaths of office.

It is also conceded that there is no requirement of statute that an enlistment contract, or the appointment of an officer, shall be vacated because the enlisted man or the incumbent of military office has passed the statutory limit of age. A new contract of enlistment in behalf of

the soldier, however, can only be executed by one who is within the statutory limits of age, and an appointment to an original vacancy in the Organized Militia must equally conform to the restrictions in respect to age which are embodied in the legislation of 1908 above cited.

As the appointing power in respect to officers of the militia is vested by the Constitution in the several States, it follows that no restrictions may be imposed upon such appointments by the War Department, *proprio vigore*. The appointing power in each of the States is plenary in so far as the War Department is concerned, and is exercised by the States in conformity to any restrictions which Congress, in the exercise of its constitutional authority in respect to the organization of the National Militia may see fit to impose.

But when the general Government contributes to the support of the Organized Militia, in the operation of a series of enactments having for their purpose to secure its efficiency as a branch of the constitutional military forces, it would seem to be within the power of the President to deny the bounty of the general Government to persons who, by reason of extreme youth or advanced age, are obviously disqualified for active service, or who may reasonably be presumed to be unable to undergo the hardships of field service in time of peace, which is assimilated in its essential incidents to active service against a public enemy in time of war.

But there is another point of view from which senility as a disabling cause in the case of an officer of the Organized Militia may properly be regarded. In its legislation in respect to the Regular Army, the branch of the constitutional military establishment which is permanently maintained by Congress and is required to be kept in a state of constant readiness for active service, Congress has itself reached a conclusion in respect to age, standing alone, as a cause of disability, and has provided for the compulsory retirement of all officers of the Regular Army upon reaching the age of 64. Although the retirement laws are restricted in their operation to the Regular Army, and have no application to either the militia or volunteer forces, that legislation stands as an expression of the legislative will as to the age at which a military officer ceases to be able, from that cause alone, to encounter the hardships and vicissitudes of active military service in the field. The effect of such legislation may, it is thought, properly be regarded as imposing a restriction upon the expenditure of funds appropriated by Congress with a view to secure a force of Organized Militia which shall at all times, not only be ready for, but capable of, active service in the field.

It would therefore seem to be a reasonable conclusion that, in authorizing the contribution of considerable sums of the public money to defray the cost of State encampments and maneuvers, the Department is not obliged to compensate persons who are not able-bodied, but are disqualified by reason of age, or obvious physical disability, from rendering efficient service in connection with the administration of camps of instruction or maneuver.

Where, therefore, a regiment or other command of the Organized Militia enters a State camp of instruction, or participates in joint maneuvers of the Regular Army and Organized Militia which are provided for in the annual acts of appropriation for the support of the military establishment, it would seem to be entirely competent for the War Department to describe classes of disabled persons to whom payment shall not be made out of funds accruing to the State in the operation of section 1661 of the Revised Statutes, or out of funds provided by Congress to defray the expenses of detachments of the Organized Militia which, in pursuance to the invitation of the Department, take part in joint camps of instruction and maneuver.

Persons belonging to the classes named may continue to hold the offices which have been vested in them in the operation of the proper appointing power of the States in whose militia they serve, but it is competent for the Department to say that payments to such persons shall not be made out of funds appropriated by Congress, or accruing to the States in the operation of section 1661 of the Revised Statutes, as amended.

30. Following is a proposed method for loading field artillery carriages on flat cars:

All trails and poles rest on the floor of the car, all wheels, except those of the center pair (gun carriages) are tire to tire, and the gun and its carriage, the most valuable and frail part of the battery, is in the center of the car, the safest place in the event of an accident. The method is very simple and speedy.

Four thirty-foot cars are necessary.

Car No. 1 carries the first section complete, and the two caissons of the fifth section.

Car No. 2 carries the second section complete, and the caissons of the third and fourth sections.

Car No. 3 carries the gun and limber of the third section, the caisson limbers of the third and fifth sections, and the store wagon and its limber.

Car No. 4 carries the gun and limber of the fourth section, the caisson limber of the fourth section, and the forge wagon and its limber.

Order of Loading.

Car No. 1.

Run on the second caisson of the fifth section, trail on the floor, pointing to the center of the car, wheels resting about eighteen inches from the front end of the car, then first caisson of the fifth section, trail toward the center of the car, tires squarely against the tires of the first, the caisson of the first section similarly placed; then gun of the first section, trails in the same direction as the caisson trails, muzzle clearing top of the caisson, wheels so placed that no part of the gun or carriage will touch the caisson; then piece limber of the

first section, pole in the opposite direction to trails and passing over the right trail seat (care must be taken to avoid striking the right elevating crank handle), end of pole on the floor of car, wheels so placed that no part of the gun or carriage will touch the gun or carriage; then limber of the first section caisson, pole under the preceding limber, wheels placed squarely tire to tire.

Car. No. 2.

Similar.

Car No. 3.

Run on the store wagon, trail to the center of the car, wheels so placed that rear end of the wagon will be within vertical plane of the end of car; then store wagon limber, pole to center of car on floor; wheels placed squarely tire to tire with those of the wagon; then caisson limber of the fifth section similarly placed; then gun of the third section; trail in same direction, muzzle clearing the top of the limber, wheels so placed that no part of the gun or carriage will touch the limber; piece limber and caisson limber third section placed as described for Car No. 1.

Car No. 4.

Similar.

Two by four scantling spiked to the floor outside of the wheels prevents all lateral movement. Wheels should be chocked front and rear, and trails and spades box-chocked. Wheels placed tire to tire may be lashed and chocks placed before the first and behind the rear wheels; particular care should be exercised in chocking gun wheels.

Tools, straps, sight brackets, etc., that cannot be locked up in the trail box, should be bundled together and placed with the paulins and buckets in the harness car. Kit and supply wagons should be placed end to end, three to a car, the poles being detached if necessary, wheels chocked.

If more caissons are present, there will be required one car for every three of them, the caissons occupying the same relative position on the car as in cars Nos. 1 and 2, the third limber occupying the place of the gun.

31. There is no law that authorizes officers of the National Guard, as such, to be appointed commissioned officers in the Regular Army. Applications of members of the National Guard for appointment in the Regular Army must be made in their capacity as citizens of the United States, apart from their connection with the Organized Militia.

32. In regard to the issue to the Organized Militia of military supplies by the several bureaus of the War Department, much difficulty is experienced in filling requisitions promptly, for the reason that the quantity of supplies procured for the Regular Army from which issue is made to the Organized Militia is not sufficient for the needs of both services, and because the supply bureaus are not able, in the absence of annual estimates, to anticipate the needs of the militia.

The records of this office show that a large number of requisitions are received daily, many of which call for small quantities of supplies, and, in one instance, several requisitions for ordnance stores were received from the same State in one day, none of which contained more than a few items and each of which stated that the supplies were desired for immediate use. It is often necessary to place special insignia or markings on the equipments before issue, and, in other cases, many articles which the Department does not regularly carry in stock have to be procured from the market, and it is therefore impracticable to make issues of the supplies immediately on receipt of the requisitions.

To remedy this condition, the Adjutants-General of the States and Territories, and the District of Columbia Militia, have been requested, if practicable, to submit an annual estimate giving, approximately, the number of articles of arms, uniforms, equipments, and other military supplies that will be needed for their Organized Militia during the ensuing fiscal year. It has also been suggested that requisitions be submitted, if practicable, for supplies to cover a period of six months, or, if this be found impracticable, that they be submitted at least three months prior to the time the articles will be needed.

If the two propositions advanced in the preceding paragraph can be followed, it would greatly facilitate the issues of the supplies and relieve offices of the Organized Militia and the several bureaus of the Department of considerable clerical work and prevent delay in delivery.

In this connection, attention has been invited to circular letter of July 16, 1909, from this office, in regard to the matter of issues of supplies to the Organized Militia on semi-annual requisitions.

33. The provision contained in paragraph 185 of the Militia Regulations, as amended by Circular, No. 2, Division of Militia Affairs, January 27, 1910, in regard to the non-payment of members of the Organized Militia, who have not been *bona fide* members of the organization for at least three months prior to the date of the encampment maneuvers, or exercises, under section 15 of the Militia Law, as amended, is applicable both to the special maneuver fund and the amount allotted under section 1661, Revised Statutes, as amended. Any payment to members of the militia having less than three months' service must therefore be made from State funds.

34. The Department is in receipt of the first three bulletins issued monthly by the Adjutant-General of Colorado to the officers of the Organized Militia of the State. In regard to these bulletins, one captain writes, "In my judgment the bulletins will do more to benefit the Guard in our State than any other one thing. As creators of 'esprit de corps' the bulletins should be wonder workers." A number of other States issue similar bulletins at stated intervals. Copies are sent to all the officers, some retired officers, and to the local newspapers and the service journals and magazines, and it is believed much good is being accomplished in this way.

35. Whenever an officer responsible for the care and preservation of military stores ascertains that any of the property has been lost, stolen,

or destroyed, or has become unserviceable or unsuitable, he should immediately report the condition to the Adjutant-General of the State, Territory, or District of Columbia Militia. This report should be made on Form No. 16, Militia, should be prepared in triplicate, and accompanied by triplicate copies of an affidavit of the responsible officer setting forth in detail the reasons for the conditions of the property, together with such other depositions as may be of use in fixing the responsibility for the condition of the property.

The Adjutant-General should then, by order of the Governor, appoint a disinterested officer of the Organized Militia to act as surveying officer. This officer should investigate matters submitted to him, and call for all evidence obtainable, not limiting his inquiries to statements presented by parties in interest. He should rigidly scrutinize the evidence, especially in cases of alleged theft or embezzlement, and not recommend relief from responsibility unless fully satisfied that those charged with the care of the property have performed their whole duty in regard to it—hearing in person, or by deposition, all persons concerned in the matter.

The surveying officer cannot condemn public property—his action is purely advisory. He will ascertain and report facts, submit opinions, and make recommendations upon questions of responsibility which may arise. For example, he investigates and determines questions involving the character, amount, and cause of damage or deficiency which public property may sustain in transit, store or use, and which is not the result of ordinary wear and tear of the service, and reports the results of the investigation made, with recommendation in regard to the responsibility for such damage or deficiency.

Public property that has been in transit should be carefully checked upon arrival at its destination by the receiving party with the bill of lading of manifest, in order to ascertain whether the carrier has fully carried out all obligations assumed. Should any loss, discrepancy, or damage be found, application for the action of a surveying officer should be made at once, that the facts may be investigated (unless the carrier voluntarily assumes liability) and the money value of the damage or deficiency should be charged to the party responsible therefor, whether it be the invoicing officer or the carrier. In all cases where property is lost or damaged in transit, the carrier should be given every opportunity to be heard. When property has been lost or destroyed, and the responsible person pays to the proper State authorities the value of the property so lost or destroyed, such funds may be used to replace, by purchase, under section 17 of the Militia Law, the property lost or destroyed, and in such cases where the property has been so replaced the action of a surveying officer is not required.

In view of the liberality of the Federal Government in furnishing military stores for the use of the Organized Militia, it is only natural to expect that the States, Territories, and the District of Columbia will provide suitable armories, or other adequate storage for such property. All possible precautions should be taken to prevent forcible entrance to the armory, and property when not in use should be care-

fully and securely locked in places provided therefor. The militia organizations are required to have arm racks and arm lockers on hand for the safe-keeping of the small arms issued to them, and to see that every possible precaution is taken for their protection. When troops are operating in the field, responsible officers are not required to take arm racks or arm lockers with them for the safe-keeping of small arms unless it is convenient to do so; but a system will be devised in each organization which will provide every possible precaution for the safe-guarding of arms under the particular field conditions to which the troops are subjected.

It is very important that the circumstances surrounding the loss, theft, or destruction of property be investigated at the earliest practicable date after the occurrence, as at that time responsibility can be more easily and accurately determined. All property should be inventoried at least once each year in order to determine the serviceability of the stores and whether any shortages exist, and all unserviceable property, or shortages, should be reported to the Adjutant-General, in the manner described above, that a surveying officer may be appointed and the disposition of the property considered by the Secretary of War.

Upon the receipt of a report of a surveying officer, the Adjutant-General should submit it to the Governor for his approval or disapproval and transmission to the War Department, through the Division of Militia Affairs, where all of the evidence will be examined and the case presented to the Secretary of War, who will direct what disposition, by sale or otherwise, shall be made of the property involved, and authorize its dropping from the annual returns.

October 26, 1910.

36. A disbursing officer of the Organized Militia appealed July 5, 1910, from so much of the action of the Auditor for the War Department in settlement No. 776, dated November 30, 1909, as disallowed in his disbursing accounts items aggregating \$473.58, as follows:

"The following named accounts suspended in previous settlements *are disallowed* in this settlement under a decision of the Compt. of Nov. 25, 1908, that a disb. officer of militia is not entitled to the pay of his grade while engaged in the duty of acquiring and developing shooting galleries and target ranges:

" Settlement 466, Vou.—	in Sett. 324	\$249.99
" " " 9,	Oct. '08 a/c	58.34
" 582, " 7,	Jan. '09 a/c	19.45
" " " 1,	Mch. '09 a/c	48.60
		\$376.38

"The following *is disallowed* in this settlement under the dec. of the Compt. on this voucher dated July 29, 1909, viz:

" Vou. 4, Sept. 1908 a/c.....	97.20
-------------------------------	-------

\$473.58"

The vouchers of the disallowance aggregate \$376.38, were in payment for services of the claimant in connection with the construction of the rifle and target ranges in the State. The claimant paid himself while engaged in such service at the rate of pay provided by law for a Lieutenant-Colonel of the Regular Army, namely, \$3,500 per annum.

In the decision of the Comptroller of the Treasury of November 25, 1908 (47 MS. Comp. Dec., 1021), it was held that a disbursing officer of the militia was not entitled to receive the pay of his rank or grade while on detached duty in connection with the construction of rifle ranges. From a statement of the claimant it would appear that his duty with respect to these rifle ranges was that of inspector. Such duty was not different so far as the right to receive pay under the authority of the above appropriation is concerned from the work of an officer on duty in connection with the construction of shooting galleries and target ranges. It was not duty for which the law makes any provision for the payment of the salaries of the officers and men of the militia while engaged upon it. The payment of salaries to officers and men of the militia from the appropriation made by section 1661 of the Revised Statutes, as amended, is only authorized to the officers and men engaged in actual field or camp service for instruction, as authorized and directed by section 14 of the Act of January 21, 1903.

Upon the facts appearing, the Comptroller of the Treasury is of the opinion that claimant was not entitled to the money which he paid himself on the vouchers first above described, and that credit for the payment must be denied and disallowed in his accounts. The action of the Auditor with respect to these items has been affirmed.

The last item of the Auditor's disallowance, namely, the disallowance of \$97.20 paid on voucher 4, September, 1908, remains to be considered. By said voucher claimant paid himself from September 1 to 10, 1908, which was at the close of a tour of actual field or camp service for instruction at Camp Perry, Ohio, covering the period from August 18 to 31, 1908, in which claimant participated as a member (lieutenant colonel) and disbursing officer of the Organized Militia. It appears that not more than twenty officers and men participated in this encampment at Camp Perry.

In the decision of the Comptroller of the Treasury of July 29, 1909 (16 Comp. Dec. 52), it was held, quoting the syllabi, that—

“Under section 14 of the Act of January 21, 1903 (32 Stat., 777), which provides for encampments of the Organized Militia, a disbursing officer who is a member of the Organized Militia and participates in the encampment is entitled to the pay of his rank or grade for the time necessarily consumed by him in paying the militia, and also for the time, not exceeding the statutory limit, he was necessarily engaged after his return from camp in preparing his accounts for submission to the administrative department.

“If the disbursing officer was merely a participant in rifle practice under authority of the Act of June 22, 1906 (34 Stat., 449), which is

not an encampment or actual field or camp service for instruction, he is not entitled to receive pay therefor".

It appears from claimant's statement that the work he did after the encampment at Camp Perry, Ohio, in the preparation of his accounts as disbursing officer for submission to the administrative department at Washington included work in connection with a State rifle competition. This rifle competition does not appear to have been an encampment within the meaning of section 14 of the Act of January 21, 1903, but rather rifle practice under the authority contained in the Act of June 22, 1906, and the claimant is not entitled to receive any pay therefor either during the time of the rifle practice or after the rifle practice closed in preparing his accounts for submission to the administrative department. (See 16 Comp. Dec., 52).

The only time that claimant is entitled to credit for is the time that he was actually engaged in field or camp service for instruction at Camp Perry, Ohio, and such time after its close as it took him to prepare his accounts relating to that encampment and to that alone, for submission to the administrative department. There was a detachment of less than twenty men engaged. It should not have taken him a longer period than three days to prepare his accounts for submission. Upon the evidence appearing credit for no more time than that can be allowed him.

Upon a revision of the above-described account, the Comptroller of the Treasury finds a difference in favor of the disbursing officer of twenty-nine dollars and seventeen cents (\$29.17), being for three days at \$9.72 1/3 per day.

37. Leases of land for use of the Organized Militia as rifle ranges, the rental of which is paid from the allotment under section 1661, Revised Statutes, as amended, should be accomplished on Form No. 17, Division of Militia Affairs.

There is no prescribed minimum limit of time for which a lease may be made. The lease should be made in the name of the disbursing officer of the Organized Militia of the State, under section 14 of the Militia Law, and the approval of the Governor should be indorsed thereon.

Instructions in regard to the preparation of the lease will be found on the second fold of the blank form.

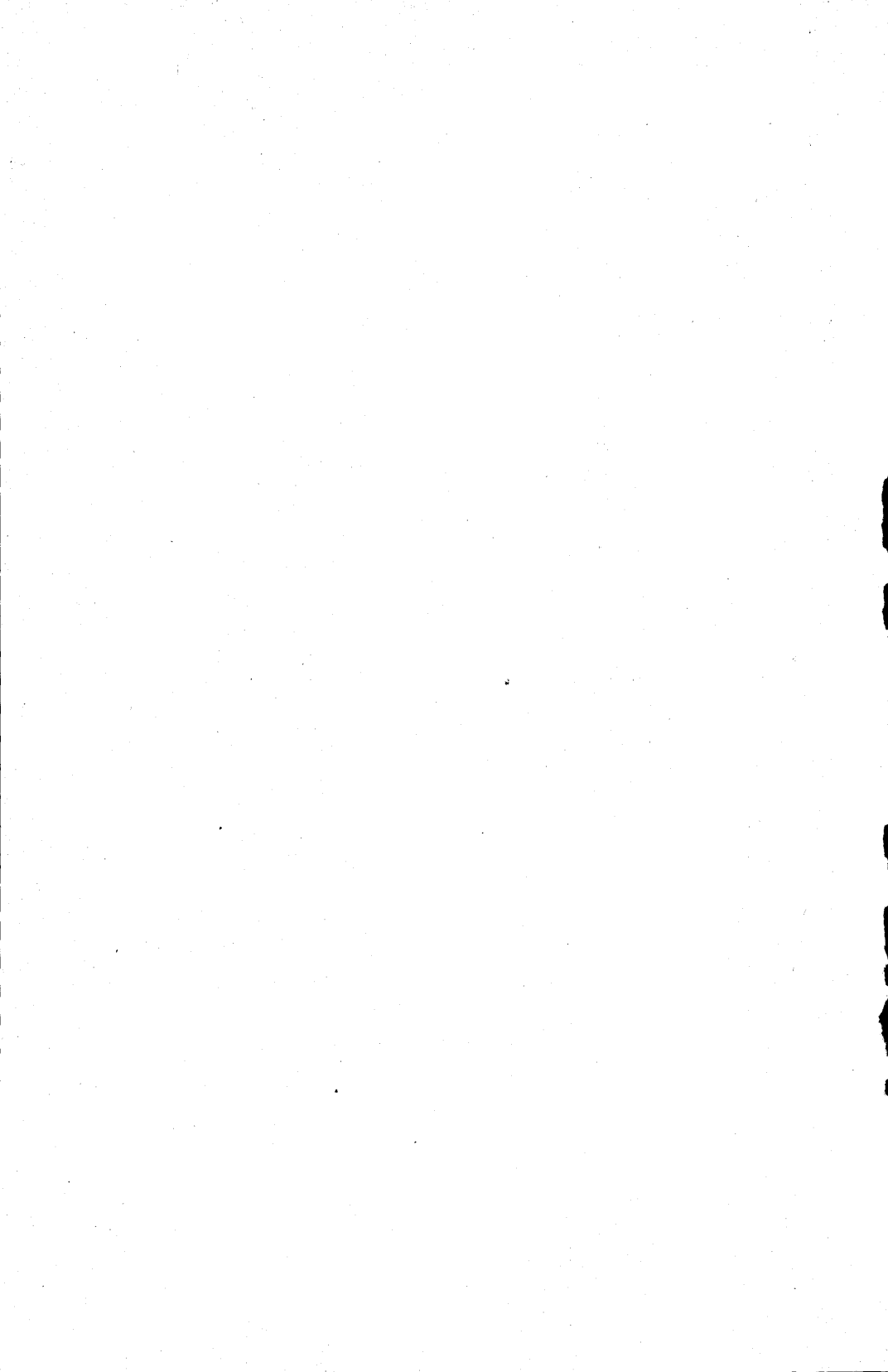
38. Transportation charges for subsistence stores, purchased by a State for cash under the provisions of Section 17 of the Militia Law, must be met from State funds.

DIVISION, NATIONAL GUARD

General Orders and Circulars

1910

[589]



Division, National Guard, New York

INDEX

OF

General Orders and Circulars

1910

GENERAL ORDERS, NOS. I TO 20

CIRCULARS, NOS. I TO 25

(Arabic numbers refer to the number of the order or circular. Roman numbers refer to paragraphs of the order or circular. The letter C, preceding a number indicates reference to a circular; all other numbers refer to General Orders.)

INDEX.

A.

Advice to riflemen.....	6
Amended, general orders, No. 2.....	4, XI
Ammunition, ball.....	4, VII
s. a. p requisition.....	4, V 11, VII
Annual inspection and muster.....	18
Appointment of examining boards.....	2, II
Armory small arms practice.....	12, I, XI
Artillery, officers, examining boards for.....	2, II
Attendance at drills, average for 1909.....	1, I
January, 1910.....	C, 1
February, 1910.....	C, 2
March, 1910.....	C, 3
November, 1910.....	C, 5
report, general s. a. p., to division headquar- ters s. a. p.....	4, X 11, IX

B.

Ball ammunition.....	4, VII 11, VII
Blauvelt, N. Y., organizations named for s. a. p.....	11, I, II
Board, instruction.....	14, II
Boards, examining, officers, appointment.....	2, II
dissolved.....	2, I
Bonds, to be furnished by treasurer of civil associations.....	C, 4
Brigade commanders to make temporary appointments of mem- bers of examining boards.....	2, III
Bruch, Lieutenant Colonel E. B., inspector-general, detailed as assistant in inspection of s. a. p.....	11, V

C.

Care of rifle.....	6
Cavalry, officers, examining board for.....	2, II
Checks of civil associations, how signed.....	C, 4
Chief, coast artillery, in charge of schools of instruction.....	3
Circulars and orders, distribution.....	10, I, II
Civil associations, checks, how signed.....	C, 4
funds to be deposited.....	C, 4
treasurer to furnish bond.....	C, 4
Close order drills.....	12, III
Coast artillery corps, a provisional brigade.....	16

Coast artillery, chief of, in charge of schools of instruction.....	3
Coast artillery districts, commanding officers to report men en- listed within three months.....	5, II
Coast defense exercises, organizations to participate.....	7, I
Course, schools of instruction.....	14, VII VIII

D.

Dates, small arms practice.....	4, II, III
Delinquency returns to be rendered.....	12, XII
Dissolved, examining boards for officers.....	2, I
Distribution of orders and circulars.....	10, I, II
Drills, close order.....	12, III
number prescribed.....	12, II
when to begin.....	12, I
Drills and instruction.....	12, V, VI VII, VIII
hospital corps.....	12, IX
medical department.....	13
Dryden trophy match.....	20
score.....	20

E.

Engineer, instruction.....	12, IV
corps officers, examining board for.....	2, II
Enlisted man, not to practice on field range unless a qualified marksman.....	19, I
men: coast artillery districts, those enlisted within three months reported by commanding officers.....	5, II
detailed to serve with provisional company at Blauvelt, how accounted for.....	17
ruling of U. S. war department in regard to men enlisted within three months before field service.....	5, I
Examining boards, officers:	
appointment.....	2, II
artillery.....	2, II
cavalry.....	2, II
corps of engineers.....	2, II
dissolved.....	2, I
first brigade.....	2, II
fourth brigade.....	2, II
infantry.....	2, II
medical corps.....	2, II
ordnance.....	2, II
second brigade.....	2, II
signal corps.....	2, II
third brigade.....	2, II

F.

Field range, medical officers in attendance	15
officers or enlisted men to be qualified marksmen on armory range before practice	19, I
Field service, Peekskill proposed	5, II
Pine Plains, Jefferson County	5, I, II 9, I-XII
Figure of merit, prizes	20
Firing, rifle	6
First brigade, officers, examining board for	2, II
Fourth brigade, officers, examining board for	2, II
Funds of civil associations to be deposited	C, 4

G.

General orders, No. 2, amended	4, XI
--------------------------------------	-------

H.

Hospital corps, drill and instruction	12, IX
---	--------

I.

Infantry, officers, examining board for	2, II
Inspection, annual	18
small arms practice	2, V, 4, IV
Instruction, board	14, II
engineer	12, IV
schools of	12, X
courses	14, VII
when to begin	VIII 12, I

K.

Kirby, Major W. M., to supervise and inspect small arms practice	4, I, IV
--	----------

M.

McAlpin and Dryden Trophy matches	20
score	20
"Manual for Privates of Infantry," extracts from	6
Medical department, drills and instruction	13
Medical officer to be in attendance on field range	15
Medical officers, examining board, for	2, II
Merit, figure of, list (1910)	20
prizes	20
Muster, annual	18

N.

National trophy match	20
score	20
Naval militia, small arms practice	11, III

New London, Conn., artillery district, coast defense, organizations to participate.....	7, I
Non-commissioned officers, schools of instruction.....	14

O.

Officer, must be a qualified marksman to practice on field range.....	19, I
Officers, of provisional company at Blauvelt, how accounted for..	17
examining boards for.....	2
physical qualifications.....	2, IV
schools of instruction.....	14
Ordnance, officers, examining board for.....	2, II
Orders, small arms practice.....	4, I
	4, VIII
	11, VIII
Orders and circulars, distribution.....	10 I, II
Organizations designated for coast defense exercises.....	7, I
named for small arms practice at Blauvelt.....	11, I, II

P.

Peekskill, camp of instruction, field service proposed.....	5, II
Physical qualifications, officers.....	2, IV
Pine Plains, Jefferson county, field service.....	5, I, II
" ".....	9

R.

Recruits of less than three months' service.....	8
Reports of attendance, at drills and parades.....	12, XII
Requisition, for ammunition, small arms practice.....	4, V
for targets.....	4, V
for transportation.....	4, VI
	11, VI
Rifle, care of.....	6
at small arms practice, used as single loader.....	11, VII
Rifle firing.....	6
Riflemen, advice to.....	6
Ruling of U. S. war department, relative to enlisted men for field service.....	5, I

S.

Schools of instruction.....	12, X
courses.....	14, VII
in charge of chief of coast artillery for coast artillery corps.....	VIII
officers and non-commissioned officers.....	3
when to begin.....	14
Second brigade, officers, examining board for.....	12, I
	2, II

Signal corps, officers, examining board for.....	2, II
Small arms practice, (s. a. p.).....	4; 11
armory.....	12, I, XI
attendance report.....	4, X; 11, IX
Blauvelt, N. Y.....	11, I, II
dates.....	{ 4, II, III 11, I, II
figure of merit.....	20
inspection.....	4, IV
instruction.....	12, XI
orders.....	{ 4, I, VIII 11, VIII
requisition for ammunition.....	4, V
requisition for targets.....	4, V
requisition for transportation.....	{ 4, VI 11, VI
rifle.....	11, VII
targets, requisition for.....	4, V
transportation, requisition for.....	{ 4, VI 11, VI
when to begin.....	12, I

T.

Targets, requisition for.....	4, V
Third brigade, officers, examining board for.....	2, II
Thurston, Lieut.-Col. N. B., chief ordnance officer, to supervise small arms practice at Blauvelt.....	11, V
Transportation, small arms practice, requisition for.....	{ 4, VI 11, VI
Treasurer, civil association, to furnish bond.....	C, 4

U.

United States War Department, ruling.....	5, I
---	------

V.

Vouchers, small arms practice, how prepared.....	4, IX
--	-------

[General Order No. 17 is the last of the series for 1909]

HEADQUARTERS, DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *January 15, 1910.*

GENERAL ORDERS, }
No. 1. }

I. For the information of the National Guard there is published herewith a tabulated statement showing the average attendance of its officers and enlisted men at the duties required of them during the year 1909.

The statement shows that, including these headquarters and those of brigades, the average strength of the National Guard during the year 1909 was 15,888; the average attendance at drills and parades 85 per cent; the average attendance at field service 83 per cent and the average attendance at service with U. S. troops 80 per cent; in the last case an improvement over the average of the year 1908.

Fractions less than one-half in averages are not credited; those of one-half and more are credited as a whole.

II. The result of the field small arms practice of the season 1909, has already been published in full and in detail in General Orders No. 17, December 15, 1909, Division N. G., N. Y.

By Command of Major General Roe,

CHAUNCEY P. WILLIAMS,

Adjutant-General.

Official:

.....
Adjutant-General.

ORGANIZATION.	DRILLS AND PARADES.				FIELD SMALL ARMS PRACTICE.				CAMP AND FIELD SERVICE.				SERVICE WITH U. S. TROOPS.			
	Number of days or occasions.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Strength present and absent.	Strength present.	Percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.
Signal Corps.																
1st Company.....	35	94	89	95	1	95	65	68	9	95	72	76				
2d	34	69	64	93	1	68	33	48	9	70	45	64				
Total of signal corps.....		163	153	94		163	98	60		165	117	71				
Corps of Engineers.																
22d Regiment (provisional): field, staff, and n. c. stall.....	27	8	7	88	1	8	7	88	9	26	23	88				
band	27	2	2	100	1	2	1	50								
1st Battalion: field, staff, and n. c. staff.....	27	5	5	100	1	5	4	80	9	5	5	100				
Company D.....	27	55	45	82	1	54	29	54	9	53	41	77				
" G.....	26	64	56	88	1	66	47	71	9	69	57	83				
" I.....	27	63	55	87	1	64	41	64	9	65	54	83				
" K.....	27	53	47	89	1	56	40	71	9	55	42	75				
Total.....		250	217	87	1	245	161	66		247	199	81				
2d Battalion: field, staff, and n. c. staff.....	27	4	4	100	1	5	3	60	9	5	5	100				
Company A.....	27	65	54	83	1	63	35	51	9	68	40	59				
" C.....	27	57	47	82	1	57	42	74	9	62	47	76				
" E.....	27	60	46	77	1	59	32	54	9	57	34	60				
" L.....	27	56	45	80	1	74	30	41	9	59	41	69				
Total.....		242	196	81	1	263	142	54		251	167	67				

3d Battalion:												
field, staff, and n. c. staff	27	4	4	100	1	4	3	75	9	5	5	100
Company B	27	60	46	77	1	59	26	44	9	57	26	51
" F	27	70	62	89	1	77	41	53	1	76	66	87
" H	27	61	50	82	1	62	36	58	9	59	38	64
" M	29	53	39	74	1	59	38	64	9	69	56	81
Total		248	201	81	1	261	144	55		266	194	73
Total corps of engineers		740	614	83	1	779	455	58		790	583	74

Cavalry.

Squadron "A":												
field, staff, and n. c. staff	28	282	270	96		245	225	92		106	105	99
Troop I	28	40	39	98					9	7	7	100
" II	29	63	59	94	1	65	58	89	9	32	32	100
" III	29	62	60	97	1	63	56	89	9	32	31	97
" IV	29	63	60	95	1	65	65	100	9	35	35	100
" IV	28	54	52	96	1	52	46	88				
Troop "B"	35	68	64	94	1	66	57	86				
Squadron "C":												
field, staff, and n. c. staff	33	237	226	95		207	169	82				
Troop V	33	35	35	100	1	4	4	100				
" VI	33	51	50	98	1	50	42	84				
" VII	33	49	47	96	1	51	43	84				
" VIII	33	51	49	96	1	50	41	82				
" VIII	33	51	50	98	1	52	39	75				
Troop "D"	39	66	63	95	2	62	61	98				
Total of cavalry		653	653	86		580	512	88		106	105	99

Field Artillery.

1st Battalion:												
field, staff, and n. c. staff	38	328	290	88		343	202	59		348	279	80
1st battery	36	5	5	100	1	5	5	100		5	5	100
2d " "	35	107	97	91	1	108	68	63	9	113	88	78
3d " "	35	105	87	83	1	113	67	59	9	111	95	86
" "	35	111	101	91	1	117	62	53	9	119	91	76
6th Battery	29	98	88	90	2	102	82	80	8	104	93	89
Total field artillery		426	378	89		445	284	64		452	372	82

ORGANIZATION.	DRILLS AND PARADES.				FIELD SMALL ARMS PRACTICE.			CAMP AND FIELD SERVICE.			SERVICE WITH U. S. TROOPS.					
	Number of days or occasions.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Strength present and absent.	Strength present.	Percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.
Coast Artillery.																
Headquarters Coast Artillery.....													10	5	5	100
13th Artillery District.....		1,079	923	86	2	1,071	543	51						1,101	771	70
field, staff, and n. c. staff.....	30	33	37	97	2	32	29	91					10	32	31	97
band.....	29	25	22	83	2	22	8	36					10	21	16	76
1st Company (A).....	30	103	90	87	2	101	39	39					10	102	78	76
2d " (B).....	30	80	76	95	2	81	42	52					10	82	56	68
3d " (C).....	30	82	71	87	2	83	45	54					10	81	65	80
4th " (D).....	29	101	84	83	2	99	52	53					10	102	63	62
5th " (E).....	30	94	83	88	2	97	52	54					10	97	55	56
6th " (F).....	30	99	86	87	2	102	68	67					10	100	86	86
7th " (G).....	30	75	64	85	2	75	37	49					10	71	50	70
8th " (H).....	30	95	79	83	2	96	42	44					10	98	64	65
9th " (I).....	29	65	55	85	2	65	35	54					10	64	44	69
10th " (K).....	30	75	60	80	2	75	23	31					10	76	47	62
11th " (L).....	30	75	61	81	2	69	33	44					10	74	56	76
12th " (M).....	30	72	60	83	2	69	38	55					10	71	45	63
9th Artillery District.....		689	572	82		703	468	67						676	609	90
field, staff, and n. c. staff.....	29	19	18	95	1	19	17	89					10	19	19	100
band.....	27	28	26	93		28	18	64								
13th Company (A).....	28	52	43	83	1	52	33	63					10	51	41	80
14th " (B).....	28	72	57	79	1	60	49	71					10	68	67	99
15th " (C).....	29	76	55	72	1	74	53	72					10	73	68	93
16th " (D).....	29	77	66	86	1	81	54	67					10	78	71	95
17th " (E).....	29	52	39	75	1	49	31	63					10	49	42	86
18th " (F).....	28	68	58	83	1	73	56	77					10	59	50	82
19th " (G).....	29	75	61	81	1	79	42	53					10	77	66	86

20th Company (H).....	29	65	58	89	1	72	51	71					10	69	62	90
21st " (I).....	29	56	44	79	1	49	31	63					10	48	45	94
22d " (K).....	29	59	47	80	1	58	33	57					10	57	51	89
23d " (L) (not organized).....																
24th " (M) (not organized).....																
8th Artillery District.....		548	466	85		608	435	72					10	560	488	87
field, staff, and n. c. staff.....	36	16	15	94	1	17	15	88					10	16	15	94
band.....	15	3	3	100	1	3	3	100					10	3	3	100
25th Company (A).....	37	82	65	79	1	87	57	66					10	83	69	83
26th " (B).....	35	46	39	85	1	51	39	76					10	46	38	83
27th " (C).....	35	51	44	86	1	54	33	61					10	52	40	77
28th " (D).....	36	48	40	83	1	46	29	63					10	45	43	96
29th " (E).....	35	74	66	89	1	92	67	73					10	80	72	90
30th " (F).....	36	47	40	85	1	49	36	73					10	48	44	92
31st " (G).....	35	69	58	84	1	90	67	75					10	76	68	89
32d " (H).....	35	64	57	89	1	73	66	90					10	65	61	94
33d " (I).....	23	48	39	81	1	46	23	50					10	46	35	76
Recapitulation:																
Headquarters Coast Artillery.....														5	5	100
13th Artillery District.....		1,079	928	86		1,071	543	51						1,101	771	70
9th Artillery District.....		699	572	82		703	468	67						676	609	90
8th Artillery District.....		548	466	85		608	435	72						560	488	87
Total coast artillery corps.....		2,326	1,966	85		2,382	1,446	61						2,342	1,873	80
Infantry.																
1st Regiment.....		1,041	878	85		1,075	930	89		1,073	920	86				
field, staff, and n. c. staff.....	35	22	22	100	2	24	24	100	8	23	22	96				
band.....									8	27	27	100				
Company A (28th Sep. Co.).....	30	95	80	84	2	95	78	82	8	95	90	95				
" B (44th " ").....	34	97	84	87	2	99	79	80	8	97	84	87				
" C (39th " ").....	36	73	57	78	2	74	64	86	8	75	67	89				
" D (40th " ").....	32	69	58	94	2	63	60	93	8	71	58	82				
" E (10th " ").....	25	91	82	90	2	97	90	93	8	97	76	78				
" F (33d " ").....	34	80	71	89	2	80	78	98	8	83	75	90				
" G (3d " ").....	40	75	60	89	2	90	74	82	8	78	68	89				
" H (20th " ").....	32	95	84	88	2	95	91	96	8	100	88	88				
" I (24th " ").....	34	82	66	80	2	95	84	88	8	88	75	85				
" J (27th " ").....	33	91	76	84	2	93	93	100	8	90	64	71				
" K (5th " ").....	29	98	82	84	2	94	81	86	8	97	85	88				
" L (31st " ").....	32	73	56	77	2	76	64	84	8	79	68	86				

ORGANIZATION.	DRILLS AND PARADES.				FIELD SMALL ARMS PRACTICE.				CAMP AND FIELD SERVICE.				SERVICE WITH U. S. TROOPS.			
	Number of days or occasions.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Strength present and absent.	Strength present.	Percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.
Infantry—Continued.																
2d Regiment	25	973	871	90	1	974	939	93	1008	921	91					
field, staff, and n. c. staff	25	21	21	100	1	22	22	100	21	21	100					
band	27	28	27	96				8	28	27	96					
Company A (6th Sep. Co.)	34	87	74	85		86	85	99	86	68	79					
" B (7th " ")	36	101	98	97		99	96	97	102	89	87					
" C (12th " ")	30	66	50	76		65	65	100	75	71	95					
" D (21st " ")	42	71	64	90		67	67	100	82	70	85					
" E (36th " ")	35	102	92	90		103	103	100	102	101	99					
" F (37th " ")	38	85	74	87		84	84	100	84	80	95					
" G (19th " ")	30	71	61	86		72	72	100	74	66	89					
" H (46th " ")	28	73	66	90		77	76	99	75	69	91					
" I (9th " ")	33	60	52	87		54	52	96	59	52	88					
" K (18th " ")	33	73	71	97		79	79	100	79	78	99					
" L (22d " ")	25	64	60	94		63	63	100	64	57	89					
" M (32d " ")	41	71	61	86		75	75	100	77	72	94					
3d Regiment	41	1035	935	90		1010	993	98	1036	930	96					
field, staff, and n. c. staff	41	21.7	21.5	99	1	23	21	91	23	22	96					
band	39	24	23.9	99	1			9	24	24	100					
Company A (8th Sep. Co.)	45	89	82	92	1	89	89	100	89	87	98					
" B (34th " ")	33	75	64	85	1	75	73	97	72	64	89					
" C (41st " ")	40	72	64	89	1	69	68	98	72	68	94					
" D (48th " ")	42	71	68	96	1	70	69	99	71	66	93					
" E (42d " ")	30	94	83	88	1	102	97	95	102	79	77					
" F (29th " ")	44	102	91	89	1	100	100	100	100	98	98					
" G (50th " ")	46	68	65	96	1	76	76	100	75	70	93					
" H (1st " ")	48	83	77	93	1	82	82	100	81	80	99					
" I (43d " ")	42	71	57	80	1	72	72	100	73	55	75					
" K (47th " ")	34	74	64	86	1	68	63	93	69	69	100					
" L (30th " ")	39	94	85	90	1	99	98	99	82	82	83					
" M (2d " ")	42	96	85	89	1	85	85	100	86	68	79					

7th Regiment	507	810	89	1	853	666	78	901	548	61				
field, staff, and n. c. staff	35	22	21	98	1	22	21	95	9	22	16	73		
band	28	27	26	5	98	1			9	44	31	71		
Company A	29	67	58	87	1	65	54	83	9	57	44	66		
" B	27	77	68	88	1	75	63	84	9	76	33	44		
" C	27	86	80	93	1	87	75	86	9	89	45	51		
" D	29	79	68	83	1	78	49	63	9	78	46	59		
" E	31	82	70	85	1	80	48	60	9	80	50	63		
" F	30	91	78	86	1	82	62	76	9	83	55	66		
" G	29	75	65	87	1	73	46	63	9	73	37	50		
" H	28	80	71	89	1	83	79	95	9	83	52	63		
" I	30	82	78	95	1	75	66	88	9	73	48	66		
" K	25	97	89	92	1	88	67	76	9	89	62	70		
" L	12	42	37	88	1	45	36	80	9	44	28	64		
" M (not organized)														
10th Regiment	880	729	82	1-2	903	669	74	10	897	738	82			
field, staff, and n. c. staff	32	23	23	100	1	23	13	57	10	23	20	87		
band	45	24	20	83	1				10	25	23	92		
Company A (26th Sep. Co.)	32	45	33	73	1	46	41	89	10	45	32	71		
" B (35th " ")	35	62	47	76	1	61	51	84	10	65	52	80		
" C (38th " ")	34	53	39	74	1	59	54	92	10	54	52	96		
" D (45th " ")	35	61	46	75	1	61	50	82	10	61	51	84		
" E (16th " ")	35	57	45	79	1	54	53	98	10	59	48	81		
" F (23d " ")	37	68	57	84	1	68	61	90	10	65	48	74		
" G (4th " ")	34	89	78	88	1	100	35	35	10	95	72	76		
" H (11th " ")	32	75	67	89	1	78	60	77	10	75	61	81		
" I (17th " ")	27	100	86	86	1	100	59	59	10	101	83	82		
" K (15th " ")	34	66	58	88	1	69	61	88	10	69	65	94		
" L (49th " ")	30	72	61	85	1	73	55	75	10	73	57	78		
" M (14th " ")	38	85	69	81	1	86	76	88	10	87	74	85		
12th Regiment	792	645	80		814	405	50							
field, staff, and n. c. staff	29	18	18	97	1	19	14	74						
band	28	17	17	100	1	27	6	22						
Company A	27	85	70	82	1	83	30	36						
" B	29	61	56	92	1	61	42	69						
" C	29	63	48	76	1	66	31	47						
" D	28	67	50	75	1	68	32	47						
" E	29	65	54	83	1	61	40	66						
" F	27	59	48	81	1	62	31	50						
" G	28	70	60	86	1	70	41	59						
" H	29	72	50	69	1	72	24	33						
" I	28	70	58	83	1	76	39	51						
" K	28	58	47	81	1	59	25	42						
" L	27	86	69	80	1	90	50	56						
" M (not organized)														

47th Regiment		678	546	81		705	439	62										
field, staff, and n. c. staff	28	22	20	91	1	23	20	87										
band	28	5	5	100	1	5	5	100										
Company A	28	82	73	89	1	85	53	62										
" B	28	53	42	79	1	56	36	64										
" C	28	58	45	78	1	60	36	60										
" D	28	67	49	73	1	75	33	44										
" E	28	65	49	75	1	69	39	57										
" F	28	80	54	68	1	89	43	48										
" G	28	102	89	87	1	103	70	68										
" H (not organized)																		
" I	28	70	58	83	1	70	51	73										
" K	28	74	62	84	1	73	53	73										
" L (not organized)																		
" M (not organized)																		
65th Regiment		699	586	84	1	733	702	96		717	688	96						
field, staff, and n. c. staff	34	20	17	85	1	21	21	100	8	23	22	96						
band	34	3	3	100	1	3	2	67	8	3	3	100						
Company A	34	59	49	83	1	62	57	92	8	61	56	92						
" B	34	63	54	86	1	70	67	96	8	69	68	99						
" C	34	68	57	84	1	71	69	97	8	69	67	97						
" D	34	78	61	78	1	80	76	95	8	77	73	95						
" E (13th Sep. Co.)	33	80	73	91	2	72	72	100	8	78	74	95						
" F	34	68	58	85	1	71	69	97	8	69	65	94						
" G	34	80	68	85	1	83	82	99	8	81	79	98						
" H	34	61	52	85	1	71	69	97	8	64	64	100						
" I	34	55	46	84	1	64	62	97	8	59	58	98						
" K	7	64	48	75	1	65	56	86	8	64	60	94						
" L (not organized)																		
" M (not organized)																		
69th Regiment		743	618	83	1	767	513	67										
field, staff, and n. c. staff	32	22	18	82	1	21	17	81										
band	32	4	3	95	1	3	2	67										
Company A	32	65	54	83	1	69	51	74										
" B	32	72	46	64	1	70	33	47										
" C	32	58	49	84	1	59	40	68										
" D	32	94	84	89	1	101	77	76										
" E	32	92	82	89	1	93	54	58										
" F	32	63	53	84	1	70	60	86										
" G	32	55	45	82	1	56	40	71										
" H	31	60	48	80	1	62	20	32										
" I	32	97	86	89	1	100	72	72										
" K	32	61	49	80	1	63	47	75										
" L (not organized)																		
" M (not organized)																		

ORGANIZATION.	DRILLS AND PARADES.				FIELD SMALL ARMS PRACTICE.			CAMP AND FIELD SERVICE.			SERVICE WITH U. S. TROOPS.					
	Number of days of occasions.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Strength present and absent.	Strength present.	Percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.
Infantry—Concluded.																
71st Regiment.....		821	685	83		842	585	69								
field, staff, and n. c. staff.....	29	21	20	95	1	22	19	86								
band.....	29	11.8	11.5	97				55								
Company A.....	29	72	53	80	1	72	36	83								
" B.....	29	72	64	89		72	60	83								
" C.....	28	76	56	74		83	49	59								
" D.....	29	61	54	89		64	51	80								
" E.....	29	63	51	81		67	51	76								
" F.....	29	57	46	81		57	33	58								
" G.....	29	70	61	87		67	60	90								
" H.....	29	62	54	87		61	42	69								
" I.....	29	60	52	87		63	46	73								
" K.....	29	103	87	84		103	68	66								
" L.....	26	39	29	74		50	29	58								
" M.....	29	59	46	78		57	41	72								
74th Regiment.....		814	674	83		805	623	77		808	700	87				
field, staff, and n. c. staff.....	33	21	20	95	3	20	17	85		21	21	100				
band.....	33	50	59	100	3			5		5	5	100				
Company A.....	33	58	46	79	3	59	52	88		59	57	96				
" B.....	33	58	41	71	3	58	38	66		59	50	83				
" C.....	34	53	42	79	3	58	45	78		53	46	87				
" D.....	33	70	58	83	3	70	51	73		53	63	89				
" E.....	33	76	64	84	3	86	65	76		71	71	89				
" F.....	33	69	59	86	3	74	53	72		79	52	73				
" G.....	33	71	60	85	3	75	57	76		75	65	86				
" H.....	33	62	52	84	3	63	46	73		75	54	86				
" I.....	33	63	49	78	3	61	48	79		62	50	81				
" K (25th Sep. Co.).....	31	56	45	80	3	63	52	83		62	55	89				
" L.....	32	61	51	84	3	70	61	87		62	76	83				
" M.....	22	46	37	80	3	43	38	88		52	48	93				

Recapitulation.

1st Regiment.....	1,041	878	85	1,075	960	80	1,073	920	86						
2d ".....	973	871	90	974	939	96	1,008	921	91						
3d ".....	1,035	930	80	1,010	993	98	1,036	930	90						
7th ".....	907	810	89	853	666	78	902	546	61						
10th ".....	880	729	83	903	669	74	897	738	82						
12th ".....	792	645	80	814	405	50									
14th ".....	747	652	87	740	398	54	767	610	80						
23d ".....	734	607	83	714	491	69									
47th ".....	678	546	81	715	439	62									
65th ".....	699	586	84	733	702	96	717	689	96						
69th ".....	743	618	83	767	513	67									
71st ".....	821	685	83	842	585	69									
74th ".....	814	674	83	805	623	77	808	700	87						
Total infantry.....	10,864	9,231	85	10,935	8,383	77	7,208	6,054	84						

Staff Departments.

Quartermasters Department.....					(no te a)										
Officers, except those serving with general officers.....															
Post quartermaster sergeants.....	19-38	50	48	96	46	32	70	8-12	22	20	91	10	7	7	100
Subsistence Department.....															
Officers, except those serving with general officers.....					(no te a)										
Post commissary sergeants.....	12-36	9	9	100	6	4	67	8-12	1	1	100	10	2	2	10
Medical Department:															
Officers, except those serving with general officers.....	24-40	112	102	91	114			8-15	77	61	79	10	12	8	67
Hospital Corps detachments.....	24-41	389	347	89	403			8-15	218	175	80	10	65	51	78
Field Hospital.....	29	48	42	88	54			15	54	37	69				
Total Medical Department.....		549	491	89	571	428	75		348	273	78		77	59	77

ORGANIZATION.	DRILLS AND PARADES.				FIELD SMALL ARMS PRACTICE.			CAMP AND FIELD SERVICE.				SERVICE WITH U. S. TROOPS.				
	Number of days or occasions.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Strength present and absent.	Strength present.	Percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.	Number of days.	Average strength present and absent.	Average strength present.	Average percentage of attendance.
Ordnance Department:							(no te a)									
Officers, except those serving with general officers.....	22-28	28	27	96	....	27	27	100	8-12	18	14	78	8-12	.....	2	.....
Post Ordnance Sergeants.....	.....	19	19	100	....	17	15	88	.....	11	6	55	.....	.....	2	100
Total of Staff Departments.....		655	594	91	1	667	506	75	.....	401	314	78	.....	.....	70	80
Total of Signal Corps.....		163	153	94	1	163	98	60	.....	165	117	71	.....	.....	.....	.....
Total of Corps of Engineers.....		740	614	83	1	779	455	58	.....	790	583	74	.....	.....	.....	.....
Total of Cavalry.....		653	563	86	1	580	512	88	.....	106	105	99	.....	.....	.....	.....
Total of Field Artillery.....		426	378	89	1	445	284	64	.....	452	372	82	.....	.....	.....	.....
Total of Coast Artillery.....		2,326	1,966	85	1	2,382	1,446	61	.....	2,382	1,446	61	.....	2,342	1,873	80
Total of Infantry.....		10,864	9,231	85	1	10,935	8,383	77	.....	7,208	6,054	84	.....	.....	.....	.....
Grand total.....		15,827	13,499	85	....	15,946	11,681	73	.....	9,122	7,545	83	.....	2,430	1,943	80
Headquarters Division.....		16														
" 1st Brigade.....		11														
" 2d ".....		12														
" 3d ".....		12														
" 4th ".....		10														
		15,888														

NOTE a.— Not required to practice, but allowed to do so

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *January 28, 1910.*GENERAL ORDERS, }
No. 2.

I. The examining boards for officers existing this day are hereby dissolved and their members relieved from duty with them.

II. Examining Boards for officers of the Division are hereby appointed to meet at the call of the senior officer of the board, to whom the officers detailed will report for instruction by mail, the senior officer reporting by mail to these headquarters or the commanding officer of the brigade respectively, when his board is ready for work.

DETAILS FOR THE BOARDS.

For officers of the Signal Corps:

Lieut.-Colonel Frederick T. Leigh, Chief Signal Officer.
Major Oscar Erlandsen, Signal Corps (1st Brigade).
Major Elliot Bigelow, Jr., Signal Corps (2d Brigade).
Major Sanford L. Cluett, Signal Corps (3d Brigade).
First Lieut. Henry Alexis Santoire, Medical Corps (2d Co. Signal Corps).

For officers of the Corps of Engineers:

Lieut.-Colonel Geo. W. Bunnell, Chief Engineer.
Lieut.-Colonel J. G. R. Lilliendahl, Corps of Engineers.
Major Theron W. Kilmer, Medical Corps (22d Engineers).
Captain William S. Conrow, Corps of Engineers.
Captain William A. Kenny, Corps of Engineers.

For officers of Cavalry:

Major O. B. Bridgman (Squadron "A").
Major Charles I. DeBevoise (Squadron "C").
Captain J. C. McLeer (Squadron "C").
Captain F. T. Van Beuren, Jr., Medical Corps (Squadron A).
Captain Wm. R. Wright (Squadron "A").

For officers of Artillery and Ordnance officers, serving with organizations attached directly to division headquarters:

Lieut.-Colonel Nathaniel B. Thurston, Chief Ordnance Officer.
Major Franklin W. Ward, Coast Artillery Corps (9th Artillery District).
Major David Wilson (1st Battalion, Field Artillery).
Captain Clinton Stevenson, Medical Corps (8th Artillery District).
Major Bryer H. Pendry, Coast Artillery Corps (13th Artillery District).

For Medical officers:

Lieut.-Colonel William G. Le Boutillier, Chief Surgeon.
Major John L. Macumber, Medical Corps (14th Infantry).
Major William S. Terriberry, Medical Corps (Field Hospital).

Major William S. Downes, Medical Corps (71st Infantry).
 Captain Horace M. Hicks, Medical Corps (2d Infantry).
 Captain William G. Hinsdale, Medical Corps (3d Infantry).

For officers of Infantry of the First Brigade and officers of the adjutant-general's, inspector general's, judge advocate general's, quartermaster's, subsistence and ordnance departments serving with the brigade:

Lieut.-Colonel Thomas W. Huston (12th Infantry).
 Major Alfred H. Abeel, Adjutant-General (1st Brigade).
 Major Francis L. Oswald, Medical Corps (69th Infantry).
 Major Robert McLean (7th Infantry).
 Major William S. Beekman (71st Infantry).

For officers of Infantry of the Second Brigade and officers of the adjutant-general's, inspector general's, judge advocate general's, quartermaster's, subsistence and ordnance departments serving with the brigade:

Colonel John H. Foote (14th Infantry).
 Colonel Frank H. Norton (23d Infantry).
 Lieut.-Colonel Ernest E. Jannickey (47th Infantry).
 Major Walter F. Barnes, Adjutant-General (2d Brigade).
 Major Henry T. Hotchkiss, Medical Corps (47th Infantry).

For officers of Infantry of the Third Brigade and officers of the adjutant-general's, inspector general's, judge advocate general's, quartermaster's, subsistence and ordnance departments serving with the brigade:

Brigadier-General James H. Lloyd (3d Brigade).
 Major Herman Bendell, Medical Corps (3d Brigade).
 Major John P. Treanor, Inspector-General (3d Brigade).
 Major Thomas W. Hislop (2d Infantry).
 Major Frederick M. Waterbury, Ordnance Officer (3d Brigade).

For officers of Infantry of the Fourth Brigade and officers of the adjutant-general's, inspector general's, judge advocate general's, quartermaster's, subsistence and ordnance departments serving with the brigade:

Colonel Samuel M. Welch (65th Infantry).
 Colonel George C. Fox (74th Infantry).
 Major Albert H. Briggs, Medical Corps (65th Infantry).
 Major Charles E. P. Babcock (65th Infantry).
 Major Theodore B. Sheldon, Adjutant-General (4th Brigade).

III. Brigade commanders are authorized to make temporary appointments of officers as members of the boards for their respective brigades when necessity arises. Copies of orders covering such temporary details must be forwarded to these headquarters and to the Adjutant-General of the State.

IV. The attention of the senior and of the medical officers members of the foregoing boards is called to § 15, General Orders, No. 15, Adjutant-General's Office, 1904, which reads:

“Candidates for commissions should possess the physical qualifications required of men desiring to enlist, except as to age; men who would not be accepted as enlisted men can still less be accepted as officers; the examination in this respect should not be made onerous. Defects of vision, resulting from errors of refraction which are not excessive and may be corrected by glasses, do not disqualify, unless they are due to or are accompanied by organic disease.”

This provision must be strictly and closely complied with; the examination should be made carefully and thoroughly, and the form provided for the physical examination of recruits filled out for each candidate and forwarded with the report of the examining board.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, STATE OF
NEW YORK.

CAPITOL, ALBANY, *February 23, 1910.*

GENERAL ORDERS, }
No. 3. }

The Chief of Coast Artillery is hereby placed in charge of the schools of instruction for officers of the Coast Artillery Corps of this State established by General Orders, No. 3, Adjutant-General's office, January 20, 1910, and he will issue such instructions as may be necessary to carry them into effect in the several Artillery Districts, and will supervise and direct all matters in connection therewith.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, April 14, 1910.

GENERAL ORDERS, }
No. 4. }

I. The commanding officers of the Third and Fourth Brigades and of Troops "B" and "D" and the Sixth Battery will issue the necessary orders for the small arms practice of their respective commands, taking into consideration the dates on which such practice can be supervised by Major W. M. Kirby, Ordnance Officer, Division, National Guard, who will furnish information as to such dates not later than May 1st. The commanding officers of Troops "B" and "D" and of the Sixth Battery, each, will obtain for their practice the use of the nearest available range from the proper officer in charge of it.

II. Dates for practice of organizations attached to these headquarters, not heretofore named, and of the First and Second Brigades, will be announced in orders later.

III. The commanding officers of the Third and Fourth Brigades will assign dates for the supplementary practice of the organizations of their commands. Not more than five supplementary dates in the distinguished expert class will be assigned to any one organization. Scores made on supplementary practice days must be forwarded to the Chief Ordnance Officer, Division, National Guard, 280 Broadway, New York city, within five days after the practice, or such scores will be disallowed.

The commanding officers of Troops "B" and "D" and the Sixth Battery will assign dates for supplementary practice of their respective commands, subject to the approval of Major W. M. Kirby, Ordnance Officer, Division, National Guard, making arrangements for use of a range as provided in paragraph I.

IV. Major W. M. Kirby, Ordnance Officer, Division, National Guard, will inspect and supervise the small arms practice and the competition on supplementary days in the distinguished expert class at all ranges for the above practice. Traveling and subsistence expenses incurred in accordance therewith are hereby authorized.

V. Requisition will be made by all the organizations of the National Guard direct on The Adjutant-General of the State at the State Arsenal, Thirty-fifth street, and Seventh avenue, New York city, for the ammunition allowed by R. S. A. P. 90, as amended by G. O. No. 19, A. G. O., 1909 (100 rounds).

Requisition will also be made in like manner for the targets allowed by R. S. A. P. by such organizations as do not practice at Rensselaerwyck or Fort Niagara.

Requisition for the targets required for Rensselaerwyck and Fort Niagara will be made by the Ordnance Officer of the Third and Fourth Brigades respectively.

VI. Requisitions for transportation will be made direct on the Chief Quartermaster, Division, National Guard, provided the distance from the home station of the command to the range is more than two miles. Commanding officers of troops mentioned in paragraph I will, upon receipt of this order, notify the Chief Quartermaster, Division, National Guard, 280 Broadway, New York city, of the distance from their home

station to the nearest range, the means of transportation available and the strength of their respective commands. When commanding officers actually receive transportation under the arrangements made by the Chief Quartermaster, Division, National Guard, they will give the conductor one receipt for such transportation, and forward without delay the duplicate and triplicate copies of the receipt, properly filled out, to the Chief Quartermaster, Division, National Guard, retaining the fourth in the book of transportation receipts furnished by The Adjutant-General of the State. Vouchers for the above (Form 36) will be forwarded as soon thereafter as practicable. Tickets will not be purchased or accepted from agents unless authorized.

VII. Ball ammunition must not be taken from the firing points, and the commanding officers of troops will be held to the strictest accountability for any neglect or violation of the provisions of this order or of the Regulations for Small Arms Practice, and for any breach of discipline on the part of the members of their respective commands while on the range or in going thereto or returning therefrom.

VIII. Copies of all orders issued by brigade commanders relative to the small arms practice of their respective commands will be forwarded to these headquarters and to The Adjutant-General of the State on the date of issue.

IX. Vouchers for pay, subsistence, transportation and other lawful expenditures authorized herein will be prepared as prescribed in G. O. 11, A. G. O., 1901, and must be certified to by the Ordnance Officer under whose inspection or supervision they were incurred, approved by the officer's commanding officer and forwarded, receipted in duplicate, to these headquarters.

X. Immediately after the general practice of an organization a report of attendance on forms 44 and 43 respectively will be forwarded to these headquarters by the commanding officers of regiments and separate troops, batteries, and companies, who will also see that the provisions of G. O. 7, A. G. O., 1909, are complied with.

The general practice of the field, staff, noncommissioned staff and attached officers and noncommissioned officers of regiments composed of separate companies will be ordered by the respective commanding officers to take place with that of the company at whose station these officers and noncommissioned officers are located, and the result of the practice will be communicated to the commanding officer of the regiment by the supervising Ordnance Officer, Division, National Guard. A report of attendance at general practice will be furnished by these commanding officers as soon as practicable.

XI. General Orders No. 2. Headquarters Division, January 28, 1910, in so far as it relates to examining boards for officers of signal corps, is hereby amended to read "Captain Henry Alexis Santoire" instead of "First Lieut. Henry Alexis Santoire."

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,

Adjutant-General.

OFFICIAL:

.....
Adjutant-General.

614 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

HEADQUARTERS DIVISION, NATIONAL GUARD, STATE OF
NEW YORK.

CAPITOL, ALBANY, *May 14, 1910.*

GENERAL ORDERS, }
No. 5. }

I. The attention of commanding officers of the commands designated for duty at the joint coast defenses exercise and for field service at Pine Plains, Jefferson County, this year is particularly directed to the War Department's ruling that no men enlisted within three months of the date of the commencement of such service can be taken with their organizations on that duty. This will be strictly enforced.

II. Commanding officers of Coast Artillery Districts, and organizations designated for field service at Pine Plains, Jefferson County, will ascertain and make a written report to these headquarters on or before June 1st, of the number of enlisted men of their commands, who will be eliminated from this service by the enforcement of this requirement.

Commanding officers of other commands will report to these headquarters on or before June 1, 1910, the number of men of their commands enlisted since the tour of field service of their organizations in 1909.

It is the intention to try to arrange for field service of such men at the Camp of Inspection at Peekskill under proper officers in provisional companies or battalions if sufficient funds for that purpose are at hand.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,

Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *June 2, 1910.*

GENERAL ORDERS, }
No. 6. }

The following extracts from the "Manual for Privates of Infantry of the Organized Militia of the United States," 1909, are published for the information and guidance of all concerned. Hereafter no examining board will pass a candidate for any commissioned or enlisted

grade unless he is thoroughly familiar with the subjects covered by these extracts.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,
Adjutant-General.

OFFICIAL:

.....
Adjutant-General.

THE RIFLE.

The rifle now used by the Regular Army and the Organized Militia is the United States magazine rifle, model of 1903, caliber .30.

It is 43.212 inches long and weighs 8.69 pounds.

The bayonet weighs 1 pound and the blade is 16 inches long.

The rifle is sighted for ranges up to 2,850 yards.

The rifle will shoot 5,464 yards (184 yards over 3 miles).

The only part of the rifle that a private is permitted to take apart is the bolt mechanism. Learn how to do this from your squad leader, for you must know how in order to keep your rifle clean.

CARE OF THE RIFLE.

Every part of the rifle must be kept free from rust, dust, and dirt. *The most important part of the rifle to keep clean is the bore.* The least little rust or nick in the bore injures the accuracy of the gun. After firing smokeless powder, the gun should be cleaned as soon as possible or the bore will corrode. To clean the bore, remove the bolt and, if the fouling is dry, pour water into the chamber (water in which soda is dissolved is much better). With the cleaning rod, wipe out the bore with small pieces of cloth soaked in water or soda water. When using a cleaning rod always insert it at the breech, never at the muzzle, because *the muzzle is the most delicate part of the gun*, and a little nick or rust there affects the accuracy of the gun a great deal. When the bore is clean, wipe out, first with dry rags and then with an oiled rag. When no cleaning rods are at hand use the thong and brush, which should always be carried in the case of the butt of the rifle.

Take the bolt mechanism apart and clean each piece inside and out. Rub each with an oily rag before assembling.

Never attempt to polish any part that is blued. If rust appears, remove by rubbing with oil. Never use emery paper, pomade, or any preparation that cuts or scratches to clean any part of the rifle.

Wherever two metal surfaces rub together (all the cams and bearings) the same must always be kept oiled. Any part that may appear to move hard can generally be freed by the use of a little oil.

The best method of applying oil is to use a piece of cotton cloth upon which a few drops of oil have been placed.

Sperm oil, carried in the oiler in the butt of the rifle, is to be used for oiling all bearings and cams.

PRECAUTIONS.

Always handle your rifle with care. Don't throw it around as though it was a club. Don't stand it up against anything so that it rests against the front sight. Don't leave a stopper or a rag in the bore; it will cause rust to form at that point. It may also cause the gun barrel to burst if a shot is fired before removing it.

In coming to the "order arms," lower the piece *gently* to the ground.

The piece is always carried locked. In this position the safety lock should be *kept* turned *fully* to the right, since if it be turned to the left nearly to the "ready" position and the trigger be pulled, the rifle will be discharged when the safety lock is turned to the "ready" position at any time later on.

Cartridges cannot be loaded from the magazine unless the bolt is drawn fully to the rear. When the bolt is closed, or only partly opened, the cut-off may be turned up or down as desired, but if the bolt is drawn fully to the rear, the magazine cannot be cut off unless the top cartridge or the follower be pressed down slightly and the bolt be pushed forward so that the cut-off may be turned "off."

In the case of a misfire, don't open the bolt immediately, as it may be a hangfire. Misfires are often due to the fact that the bolt handle was not fully pressed down. Sometimes in pulling the trigger the soldier raises the bolt handle without knowing it.

Unless otherwise ordered, arms will be unloaded before being taken to quarters or tents, or as soon as the men using them are relieved from duty.

Keep the working parts oiled.

RIFLE FIRING.

Effective rifle fire is generally what counts most in battle. To have effective rifle fire, the men on the firing line must be able to HIT what they are ordered to shoot at. There is no man who cannot be taught how to shoot. It is not necessary or even desirable to begin instruction by firing on a rifle range. A perfectly green recruit who has never fired a rifle may be made into a good shot by a little instruction and some preliminary drills and exercises in the armory.

The following is recommended as being a most systematic and progressive course for a recruit to follow in order to learn how to shoot a rifle to HIT:

First. Learn how to take your rifle apart, what the uses of the different parts are, and how to take care of the rifle.

Second. Learn how to use the rear sight. When the leaf is down, the sights are set for 530 yards. This is called the "battle sight." Raise the leaf and note the markings thereon. The lines extending across one or both branches are 100-yard divisions. The figures indicate 100 yards and refer to the lines just below them. The short lines indicate divisions of 50 and 25 yards.

Notice the wind gauge graduations on the movable base. When not firing, keep your windage at zero. Each division is called a point.

If, when you turn the windage screw, the leaf moves to the right, you are taking windage to the right.

Third. Learn the different ways of sighting;

1. A fine sight.
2. A half sight.
3. A full sight.
4. A pcep sight.

Note this very carefully.— Whatever kind of sight is used you always aim just below the bull's-eye, so that there is a well-defined space between the bottom of the bull's-eye and the top of the front sight.

It is very necessary to adopt one kind of sight and then stick to it. When using the open sight (notch in rear sight) always use the half sight.

A 12 o'clock wind retards the bullet and causes it to strike low. Therefore, raise your sights.

A 6 o'clock wind causes the bullet to strike high. Therefore, lower your sights.

A 3 o'clock wind blows the bullet to the left of the target. Therefore, take windage to the right. Vice versa for a 9 o'clock wind.

Wind from any other direction affects both elevation and windage.

When firing on the range, an easy way to determine the amount of correction to be applied to the rear sight is to use the bull's-eye as a unit of measure. The following table shows the correction necessary to move the hit the width of the bull's-eye on the rectangular target corresponding to that range.

Range.	Elevation.	Windage.
<i>Yards.</i> 200	<i>Yards.</i> 100+	<i>Points.</i> 1
300	75	$1\frac{2}{3}$
500	75	1
600	60	1—
800	60+	1+
1,000	36	1—

NOTE.—The sign + after a number in the above table indicates that the correction necessary is slightly more than that given; the sign —, that the correction necessary is slightly less than that given.

Always remember the bullet follows the movement of the rear sight.
— If you raise the sight slide, the bullet will strike higher on the target; if you take less elevation, the bullet will strike lower; if you take windage to the right, the bullet will hit the target farther to the right; if you take windage to the left, the hit will be moved to the left.

One point of windage moves the bullet 4 inches for every 100 yards on the range.

Range.	Change made by one point of windage.	Change made by raising or lowering sight 25 yards (approximate only).
Yards.	Inches.	Inches.
100	4	1
200	8	2
300	12	3
400	16	4
500	20	6
600	24	8
700	28	11
800	32	15
900	36	19
1,000	40	25
1,100	44	30
1,200	48	37

ADVICE TO RIFLEMEN.

Look through the bore and see that there is no obstruction in it. Keep the rifle off the ground; the stock may absorb dampness, the sights may be injured, or the muzzle filled with dirt.

Watch your hold carefully and be sure to know where the line of sight is at discharge. It is only in this way that the habit of calling shots, which is essential to good shooting, can be acquired.

Study the conditions, adjust the sling, and set the sight before going to the firing point.

Look at the sight adjustment before each shot and see that it has not changed.

If sure of your hold and if the hit is not as called, determine and make the FULL correction in elevation and windage to put the next shot in the bull's-eye.

Less elevation will generally be required on hot days, on wet days, in a bright sunlight, with a 6 o'clock wind, or with a cold barrel.

More elevation will generally be required on cold days; on very dry days, with a 12 o'clock wind, with a hot barrel, in a dull or cloudy light.

Do not put a cartridge in the chamber until ready to fire. Do not place cartridges in the sun. They will get hot and shoot high.

Do not rub the eyes—especially the sighting eye.

Always clean the rifle from the breech, using a brass cleaning rod when available. An injury to the rifle at the muzzle causes the piece to shoot very irregularly.

FIRE DISCIPLINE.

Officers and non-commissioned officers exact from the men obedience to the following rules:

- a. Never fire unless ordered.
- b. Never exceed the number of cartridges indicated.

- c. Never fire after the command or signal, *cease firing*.
- d. Always fire at the named objective; if so situated as to be unable to see the objective, do not fire.
- e. Always aim at the bottom line of the objective; if it be a line of men, aim at the feet; if a clump of trees, aim at the junction of tree trunks and ground.

LOADINGS AND FIRINGS.

Pieces are loaded prior to taking extended formation. From that time until the end of the battle, or exercise, the pieces are, or are supposed to be, kept loaded without formal command.

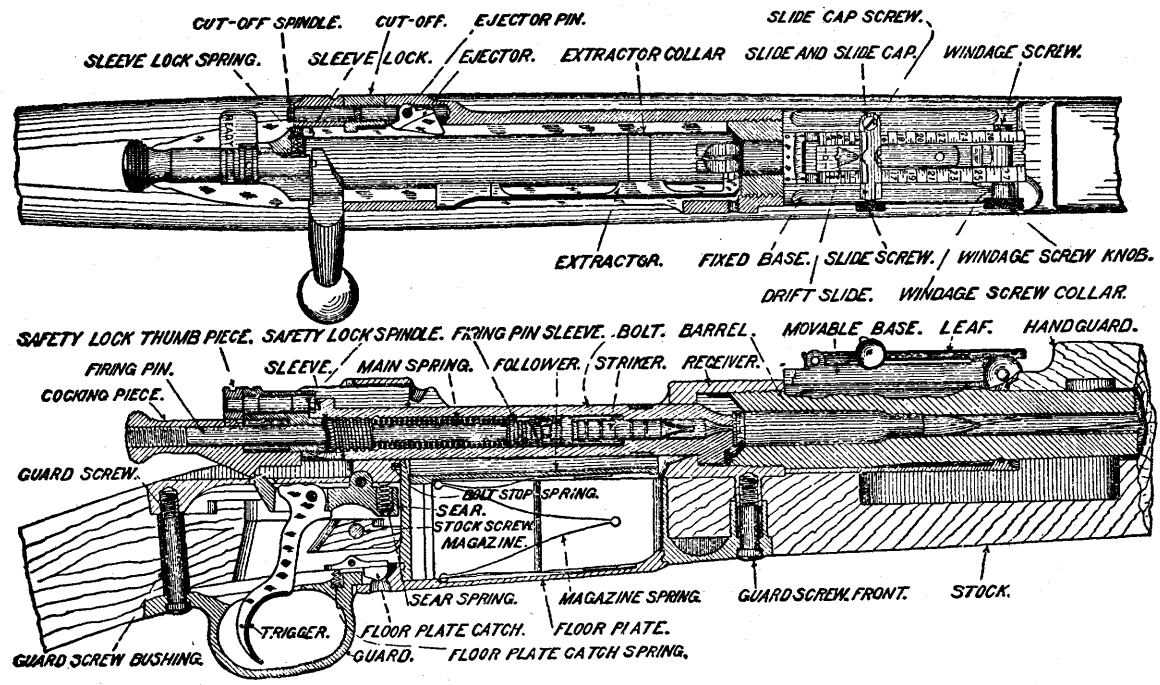
The firings are always executed at a halt.

In advancing to the attack skirmishers lie down on being halted. Those who cannot see the objective rise to the kneeling or sitting position; and of these, those who cannot see the objective rise to the standing position.

In rapid fire, skirmishers use positions giving greatest rapidity and accuracy of fire. They may be directed to kneel or rise before the commands for rapid fire are given.

MOVEMENT.

Skirmishers march at ease, carrying the piece in the most convenient manner with muzzle elevated.



HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *June 2, 1910.*GENERAL ORDERS, }
No. 7. }

I. Pursuant to General Orders, No. 21, Adjutant-General's Office, May 10, 1910, and to carry out the desires of the War Department, the Coast Artillery commands designated by the Governor to participate in the coast defense exercises in the Artillery District of New London, are hereby detailed as follows:

The Chief of Coast Artillery and his assistants, from June 10th to July 7th.

Provisional Regiment, C. A. C., 13th Artillery District, June 10th to June 19th.

Provisional Regiment, C. A. C., 9th Artillery District, June 19th to June 28th.

Provisional Regiment, C. A. C., 8th Artillery District, June 28th to July 7th.

II. The commanding officers of the commands above designated will move their commands from their home station on the first date assigned to them and will proceed to Fort H. G. Wright, Artillery District of New London, and report to the Post Commander there for such duties as may be assigned to them. They will time the return of their commands so as to reach their respective home stations on the last date assigned to them.

II.1. The Commanding Officer of the 13th Artillery District will take the tentage and field ranges of his command on this service and turn them over to the Commanding Officer of the 9th Artillery District upon leaving, and the latter will turn them over to the Commanding Officer of the 8th Artillery District upon leaving. The Commanding Officer of the 8th Artillery District will arrange for the return of the tentage and ovens to the armory of the 13th Artillery District upon completion of the tour of service.

IV. Transportation will be procured from the Chief Quartermaster, Department of the East, U. S. A.

V. The Chief of Coast Artillery is charged with the execution of this order and will issue any instructions or orders necessary to carry it out and facilitate it.

VI. Attention is drawn to General Orders, Nos. 4 and 21, and Circulars, Nos. 36 and 39, Adjutant-General's Office.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,

Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *June 27, 1910.*

GENERAL ORDERS, }
No. 8. }

The Governor has granted authority for recruits of less than three months service to accompany commands designated by General Orders No. 23, The Adjutant-General's Office, May 13, 1910, to participate in the joint maneuvers to be held at Pine Camp, Jefferson County, New York.

Pay to such men will be made from State funds or funds to the credit of the State under Section 1661, Revised Statutes, as amended.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,

Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *July 16, 1910.*

GENERAL ORDERS, }
No. 9. }

I. The organizations designated to participate in the Joint Army and National Guard Maneuvers at Pine Camp, Jefferson County, N. Y., will leave their home stations and proceed to and return from the Camp of Instruction at Pine Camp as follows:

(a) 3d Battalion, Corps of Engineers; 1st Company, Signal Corps; Squadron A, Cavalry; Troop B, Cavalry, and the Commanding Officer and his staff, and the organizations of the First Brigade (less 7th Infantry), will leave their home stations August 1st, and arrive back at their home stations on August 10th.

(b) Troop D, Cavalry, will leave its home station in time to arrive at Pine Camp not later than August 1st, and arrive back at its home station on August 10th.

(c) Squadron C, Cavalry; 6th Battery, Field Artillery, and the Commanding Officer and his staff, and the organizations of the Second Brigade (less 14th Infantry), will leave their home stations August 11th, and arrive back at their home stations August 20th.

(d) The detachments of the medical and other departments on duty with the above commands will accompany them.

II. Recruits of less than three months' service may be taken with commands on this service and will be paid from State funds.

III. Commanding officers will telegraph to the commanding officer of the camp at least ten hours before arrival the hour of their arrival,

the strength of their commands and the number of pounds of baggage carried.

IV. Upon arrival at the Camp of Instruction, commanding officers will report immediately to the commanding officer of the camp for orders.

V. Service uniform, olive drab (or khaki), Schedule C, will be worn.

VI. Horses for mounted officers and commands, and authorized tentage, baggage, ovens (or field ranges) and cooking utensils will be taken in addition to shelter tents. Large and unwieldy chests must not be taken. Five horses will be allowed for each infantry regiment for the use of mounted orderlies.

The 3rd Battalion Corps of Engineers will take such portion of the engineer equipment prescribed in Organized Militia Regulations 136 as they have been supplied with, but no pontoon equipment will be taken.

The 1st Company Signal Corps will take such signal property as the Chief Signal Officer of the Division shall direct.

Wagons and ambulances will not be taken except by Troop D.

No ammunition of any kind will be taken.

VII. Railroad transportation from home stations to camp (except for Troop D) and from camp to home stations will be procured by the commanding officers of the commands mentioned in paragraph I of this order from the Chief Quartermaster, Division National Guard, and attention is directed to Circulars Nos. 39 and 40, Adjutant-General's Office, 1910, upon this subject. The forms therein referred to will be furnished by the Chief Quartermaster of the Division.

State transportation certificates must be used for the authorized civilian cooks and servants as the U. S. Transportation Requests are only available for officers and enlisted men.

Transportation between armories and railroad stations will be furnished by commanding officers of organizations.

Troop D will march from its home station to the camp and will be allowed two days' additional forage and fuel which the troop's commander will procure. It will return to its home station by rail.

VIII. Subsistence will be furnished by the Subsistence Department, U. S. Army, from the time the commands leave their home stations until their return thereto, in accordance with the memorandum of the Chief Commissary Department of the East published in Circular No. 36, Adjutant-General's Office, 1910.

Two days' additional subsistence will be allowed Troop D, which the troop commander will procure.

Subsistence will be allowed by the State for officers, authorized civilian cooks and servants.

IX. Pay rolls will be made out on form 3, militia and in quadruplicate in accordance with General Orders No. 32, Adjutant-General's Office, 1910, to which the personal attention of all commanding officers is directed.

X. The Commanding Officers of the First and Second Brigades will issue the necessary orders for the movement of their respective brigades in accordance with the above, and will make the necessary arrangements

624 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

through their brigade quartermasters and commissaries for transportation and subsistence for the organizations of their brigades.

XI. Attention is directed to the letter of instructions from the Commanding Officer, Department of the East to the Governors of States dated May 12, 1908, in reference to the maneuvers at Pine Plains in 1908, republished in Circular No. 43, Adjutant-General's Office, 1910.

XII. Vouchers for all authorized expenditures will be forwarded promptly at the close of the tour of service.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, STATE OF
NEW YORK,

CAPITOL, ALBANY, *July 23, 1910.*

GENERAL ORDERS, }
No. 10. }

I. The attention of all commanding officers is drawn to the necessity of prompt distribution of orders and circulars to the officers for whom they are intended. Commanding officers are charged with the responsibility of seeing that all orders and circulars received are promptly transmitted to the officers serving with their commands, and where a sufficient number of copies of orders and circulars are not received for all, such officers will immediately report that fact so that sufficient copies may be supplied.

II. Hereafter, inspecting officers will ascertain and report whether distribution and receipt of all orders and circulars is made in accordance with the foregoing.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *September 1, 1910.*GENERAL ORDERS, }
No. 11.

I. The commanding officers of the First and Second Brigades will issue the necessary orders for the small arms practice at Blauvelt, N. Y., of the troops of their respective commands, for which purpose that range will be available for organizations of the

First Brigade.

October 11th, 13th, 17th, 18th, 19th, 20th, 21st, and 22nd.

Second Brigade.

October 24th, 25th, 26th, 27th, 28th, and 29th.

II. The small arms practice of the following organizations attached to these headquarters will take place at Blauvelt, N. Y., as follows:

The First and Second Companies Signal Corps and Squadrons A and C, October 8th.

Twenty-second Regiment Corps of Engineers, October 14th and 15th.
First Battalion, Field Artillery and Field Hospital, October 3rd.

Troops of the Eighth Coast Artillery District, October 4th and 5th.

Troops of the Ninth Coast Artillery District, October 10th and 12th.

Troops of the Thirteenth Coast Artillery District, October 6th and 7th.

III. October 31st is assigned for the small arms practice of the Naval Militia.

IV. Commanding officers of organizations practicing at Blauvelt will direct the marksmen of their respective commands to take their state decorations with them to the range and the officer in charge is directed to change the numbers indicating qualifications, and in case of those qualifying for the first time, to issue then and there the marksman's decorations.

V. Lieutenant Colonel N. B. Thurston, Chief Ordnance Officer, is charged with the inspection and supervision of the practice of troops at Blauvelt. Lieutenant Colonel Edward B. Bruch, Inspector General, is hereby detailed to assist Lieutenant Colonel Thurston on practice days at Blauvelt in October.

VI. Requisitions for transportation for troops practicing at Blauvelt will be made direct on Lieutenant Colonel John N. Stearns, Chief Quartermaster, 280 Broadway, New York City, who will provide the necessary transportation and notify commanding officers direct by mail as to details of the movement of troops.

VII. Ball ammunition must not be taken from the firing points, chambers of rifles will be opened upon arrival on the range, and breech bolts will be *kept open* on the range, at all times, except when actually firing.

The rifle will be used during general practice, as a *single loader*, and the use of the magazine is prohibited.

The commanding officers of troops will be held to the strictest accountability for any neglect or violation of the provisions of this order or of the Regulations for Small Arms Firing, and for any breach of discipline on the part of the members of their respective commands while on the range or in going thereto or returning therefrom.

VIII. Copies of all orders issued by brigade commanders relative to the small arms practice of their respective commands will be forwarded to these headquarters and to The Adjutant-General of the State on the date of issue.

IX. Immediately after the general practice of an organization a report of attendance on forms 43 and 44, respectively, will be forwarded to these headquarters by its commanding officer.

Attention is invited to G. O. 7, 1909, A. G. O.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,

Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *September 8, 1910.*

GENERAL ORDERS, }
 No. 12. }

I. Drills, schools of instruction and small arms practice will begin October first. Where satisfactory reasons exist a delay may be authorized of not more than one month. Schools may be substituted for drills during the month of October, if desired.

In some organizations where all the companies are stationed at the same post it has been found that satisfactory results are obtained by having three companies drill at the same time thus using only four nights for company drills and reserving one night for schools, headquarters night, examinations and courts. There is no objection to this arrangement.

II. Every command or component must participate in not less than twenty-four drills of one and one-half hours each, at which at least two-thirds of the membership of the command are present, to comply with M. L. 111. At least four of these drills should be out of doors with instruction on varied ground.

This and field or camp service and small arms practice, at which the attendance is less than 66%, will not be accepted and credited by the War Department. The scheme of instruction should include schools in conjunction with drills.

The orders or outlines of superior officers should be suggestive rather than arbitrary, while those of immediate commanding officers should be arranged with unbroken continuity. Instructions will be based upon the specific needs of individual commands or the subdivisions thereof.

Company commanders must be allowed some latitude and must be charged with some responsibility in matters of instruction. Thorough individual instruction must be given in guard duty and military courtesy.

III. Close order drills and ceremonies should not be given undue prominence nor extended order confined to mere formal exercise and normal formations. The prescribed rules of text books and orders should be clearly explained and if necessary demonstrated, always having in mind economy of time.

IV. Engineer instruction will be under the supervision and advice of the chief engineer of the division. Infantry drills and instruction for engineers will be as prescribed in paragraph III of this order so far as it may apply.

V. Drills and instruction of the signal corps will be under the direction and advice of the chief signal officer of the division.

VI. Drills and instruction of coast artillery will be as prescribed in orders by the Chief of Coast Artillery.

VII. Field artillery drills will be conducted in accordance with G. O. 146 W. D. 1910, with such modifications as may be necessary to meet armory conditions and will be under the direction of the commanding officer of the battalion of field artillery.

VIII. Cavalry drills will be conducted in accordance with paragraph III of this order so far as it may apply.

IX. The drills and instruction of the hospital corps will be under the direction and advice of the chief surgeon of the division.

The commanding officer of a post is responsible for the efficiency of the detachment of the medical department assigned to duty thereat, and shall so arrange matters affecting recruiting as to prevent undue demands upon the time of medical officers in connection with medical examinations of candidates for enlistment, and shall see that the detachment performs the number of drills required by Paragraph II of this order.

The commanding officer of an artillery district, a regiment, a battalion of field artillery or a squadron of cavalry shall assign a night for the drill and instruction of the detachment of hospital corps stationed at the headquarters of his command, and see that it has the use of a sufficient portion of the main drill floor for this purpose, and shall not permit medical examinations of applicants for enlistment or re-enlistment or of men to be taken up from dropped to be made on this night. In other organizations commanding officers may permit such medical examinations to be made on the drill night of the detachment of hospital corps, but not during the period prescribed for drill.

Commanding officers should co-operate with medical officers in maintaining an enlisted strength of at least twenty-four in each detachment serving with an artillery district or regiment, which is considered necessary if the command is to receive proper medical and sanitary service.

X. Schools of instruction for officers and non-commissioned officers must be held regularly during the drill season in accordance with instructions to be issued hereafter.

XI. Proper and careful instruction in small arms practice shall be given during the season and instruction shall also be given in the mechanism of the piece; the use of the gun sling (cir. 8, s. 1908, A. G. O.) and loading. The gun sling should be used in all armory practice, and men should be required to use dummy cartridges in the loadings and firings in slow and rapid fire at targets in company drills.

Men not actually firing should receive instruction in position and aiming drill. Particular attention must be given to R. S. A. F. 17 and the provisions of G. O. 6 N. G. Attention is called to R. S. A. F. 1 and 2. The enlisted men excused from armory practice in accordance with R. S. A. F. 1 will be omitted from the total strength of the command or subdivision, so that the reports of practice will account for actual shooting strength only. Returns must show that those so excused are omitted from the number reported absent, and the total strength given. Attached officers and enlisted men present or absent at the practice should be so recorded in red ink.

Reports of armory small arms practice will be made whether practice is held or not, and if no practice is held the reason therefor will be stated upon the return.

XII. Reports of attendance at drills and parades must be promptly forwarded by subdivisions at the close of each drill or parade and by squadrons, battalions and regiments and artillery districts at the end of the week; the monthly report of armory small arms practice on the last day of each month during the season.

Delinquency returns must be rendered for each school of instruction for noncommissioned officers and for each drill, parade, etc., and delinquencies must be promptly brought before Delinquency Courts.

The practice of allowing delinquencies to accumulate before being returned to the Delinquency Courts will not be permitted.

XIII. The commanding officers of the First, Second, Third and Fourth Brigades, Squadrons A and C and Troops B and D, Cavalry, First Battalion, Field Artillery and Field Hospital and the Colonel of the Corps of Engineers are charged with responsibility for the proper execution of the foregoing in their commands, and the Chief of Coast Artillery and the Chief Signal Officer in their respective corps, and they will issue the necessary orders to carry the provisions of this order into effect and will supervise the drills and instruction of such commands. By supervision and inspection they will keep themselves informed as to the progress made in their commands and see that the requirements of this order are complied with. Copies of all orders and circulars for drills and schools of instruction will be furnished to these headquarters on date of issue.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *September 8, 1910.*

GENERAL ORDERS, }
No. 13.

I. The drills and instruction of the medical department shall be progressive and shall include Drill Regulations, Hospital Corps, the subjects prescribed in G. O. 40, A. G. O. 1904, personal hygiene, mess and diet cooking, organization and duties of sanitary squads, the use of the revolver, care of ambulances, harness, saddle equipment and horses, and when possible practical harnessing, saddling, driving and riding.

II. Practical instruction shall be given to all hospital corps men in the use and care of their personal equipment, and of the medical supplies for the relief of the sick.

III. Each medical officer shall attend the weekly drills and instruction of the detachment of hospital corps at the post where he is assigned to duty. Each drill of the hospital corps detachment shall be supervised or conducted by a medical officer. Each medical officer is required to be able to drill a detachment of hospital corps. When there is no detachment of hospital corps at the post of a separate company, the medical officer should request the commanding officer to call for volunteers to report to the medical officer for special instruction in litter drill hygiene and "first aid."

IV. Attendance of medical officers and hospital corps men for medical examination of candidates for enlistment and re-enlistment, on other than regular drill nights, shall be by roster and shall be recorded in the report book as special duty.

V. Schools for junior medical officers, non-commissioned officers and enlisted men of the hospital corps shall be held twice a month during the drill season, when practicable, on the drill night. A session of such school may be of any duration greater than twenty minutes if found desirable. A detachment may be divided into as many sections under different instructors as the senior medical officer shall determine. The subject for each school shall be announced in advance and preliminary study required. The following subjects are recommended: D. R., H. C., military etiquette and correspondence, duties of orderlies, uniform regulations, requisitions, returns and records, care of property, organization of sanitary troops of a division, and duties of various units, advanced hygiene, field service regulations, map reading, medical military problems, regulations, the Military Law.

By command of Major-General Roe,

••

GEORGE ALBERT WINGATE,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *September 17, 1910.*GENERAL ORDERS,
No. 14. }

I. A well defined and clearly understood policy or system of military instruction is essential, the outline to be as prescribed by these headquarters and the details to be worked out by organizations according to circumstances, all subject to approval. To this end, schools of instruction for officers and noncommissioned officers for the season of 1910-11 will be arranged for and regularly conducted as hereinafter provided.

II. A board of three officers in each regiment to be known as the Instruction Board, selected for special qualification and fitness and designated by the regimental commander, shall be charged under supervision of the commanding officer, with conducting the schools; arranging dates of sessions and a program of work to cover a regular or preliminary course and an elective or advanced course. A similar board to consist of two members will be appointed for battalions of field artillery, squadrons, separate troops and the signal corps.

III. The school work will include instruction for noncommissioned officers to suitably correspond to the instructions for officers.

IV. The schools will be conducted or directed according to the most available methods, always having in mind the greatest good to the largest number. Timed schedules of drills, or schools, or lessons devoting a specified number of minutes to each subject, must not be prescribed. The greatest progress possible of accomplishment will be made prominent and diligently sought after.

V. Attendance or the equivalent in produced written work shall be required for the prescribed course, and delinquents reported monthly.

VI. Effort should be made to arrange a course which will provide a helpful, purposeful and consistent scheme of instruction, fitting the needs of each command, subdivision and individual. Use should be made of every possible medium for imparting information. Lectures, demonstration, illustration, blackboard, sandbox, map problems, map making, tactical walks or rides are suggested as means which may be employed together with simple problems in each class of work, for the staff and line officers.

VII. PRELIMINARY OR REQUIRED COURSE:

Attendance at all ordered schools, or a satisfactory presentation to the Instruction Board, in writing, showing that the subject has been covered.

Subjects.

1. Drill Regulations, for arm of service.
2. Guard Duty.
3. Minor Tactics.

4. School of Musketry.
5. Military Hygiene.
6. Administration.

(1) DRILL REGULATIONS.

For all field and line officers of Cavalry, Field Artillery and Infantry.
The Drill Regulations of their particular arm.

Familiarity with the duty of the officers of the next higher grade will be required in each case.

(2) GUARD DUTY.

Text Books.

The Drill Regulations.
Field Service Regulations.
Manual of Guard Duty.

This subject will be treated in a broad manner, and its value and importance emphasized, from the individual to the regiment or combined elements of a mobile force as Advance Guard or on Outpost Duty.

(3) MINOR TACTICS AND TOPOGRAPHY.

Text Books.

Field Service Regulations.
"Studies in Minor Tactics."
"Tactical Principles and Problems" (Hanna).
"Military Map Reading" (Sherrill).

(4) SCHOOL OF MUSKETRY.

To be treated as a special subject of first importance.

Text Books.

Regulations for Small Arms Firing. State.
Provisional Small Arms Firing Manual. War Department.

(5) MILITARY HYGIENE AND SANITATION.

"The Elements of Military Hygiene" (Ashburn).

(6) ADMINISTRATION.

Compulsory, for field and staff officers and captains of the line.
Elective and permissible for all officers.

Text Books.

The Military Law of the State.
Regulations of the State.
Regulations for Organized Militia.
Uniform Regulations.

VIII. The advanced course will be taken by those having time and opportunity. This will be an amplification of the prescribed course

with such added text books as may be necessary to give the student officer some knowledge of the combined arms in action.

The following additional text books are recommended.

MINOR TACTICS AND TOPOGRAPHY.

"Applied Principles of Field Fortification for Line Officers" (Woodruff).

SCHOOL OF MUSKETRY.

"The Rifle in War" (Eames).

MILITARY HYGIENE AND SANITATION.

"Manual of Military Hygiene for the Military Services of the U. S." (Havard).

ADMINISTRATION.

Department Manuals.

Manual for Quartermaster's Department, 1904.

Manual for the Subsistence Department, 1908.

Manual for Court Martial, 1908.

Manual for the Medical Department, 1906.

Signal Corps Manuals.

- Engineer Field Manual, 1909.

Rifle Book.

HIPPOLOGY AND EQUITATION.

For Mounted officers.

"Horses, Saddles and Bridles" (Carter).

IX. As a rule the text books hereinbefore mentioned will be used but others may be substituted if deemed desirable, in which case report will be made to these headquarters giving reasons for the change.

X. The Instruction Board will be required to advise and assist candidates for promotion to commissioned rank as to subjects and methods of study and coach them in advance of their examinations.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,

Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *September 24, 1910.*

GENERAL ORDERS, }
No. 15.

No firing on a field range on general or supplementary practice days or on occasions of authorized matches shall be permitted unless an officer of the medical corps or a competent physician is present; nor unless proper medical stores are immediately available on the range. In case the medical officer ordered for duty at such practice fails to attend, the officer in charge of the range is authorized to detail any physician who is a member of the national guard and present, to act as medical officer or to employ a qualified civilian physician for that duty; and to purchase necessary medical stores. The officer in charge of the range shall prefer charges, under M. L. 134, against the officer of the medical corps who fails to attend small arms practice when ordered.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,

Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *September 24, 1910.*

GENERAL ORDERS, }
No. 16.

With the approval of the Governor, for the purposes of administration, drill and instructions, the Coast Artillery Corps shall be considered a provisional brigade under command of the Chief of Coast Artillery as brigade commander and the provisions of the Regulations as to brigades and brigade commanders shall be applicable thereto.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,

Adjutant-General.

Official:

.....
Adjutant-General.

634 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, October 13, 1910.

GENERAL ORDERS, }
No. 17. }

In order that due credit may be given to organizations and individuals, officers and enlisted men detailed to and serving with the provisional company on duty at the Blauvelt Rifle Range will be accounted for during such detail as present on special duty on reports of attendance of their organizations and on their personal records, and an appropriate explanation made in the explanation of alterations.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK.

CAPITOL, ALBANY, October 28, 1910.

GENERAL ORDERS, }
No. 18. }

I. The annual inspection and muster, and the inspection by officers of the United States Army, of the organizations of the National Guard of the State, will be made between January 1 and April 30, 1911. Specific dates will be announced in future orders. Reviews shall be omitted.

Troops shall be paraded under arms (except hospital corps detachments), without ammunition or rations. If desired the field staff and non-commissioned staff officers of the first, second, third and tenth regiments may be inspected and mustered on separate rolls at their home stations.

The regiment or battalion composed of separate companies to which a separate company is attached should be represented when such companies are inspected.

The inspectors-general of brigades may accompany and assist the division inspectors, in their respective brigades.

Officers of the medical corps and enlisted men of the hospital corps assigned to detachments serving with regiments of infantry containing one or more separate companies shall be inspected and mustered with their detachment at the regimental headquarters.

II. Engineer, coast artillery and infantry commands shall be paraded in service uniform, olive drab, Schedule "c," dismounted, with blanket roll "packs" and field equipment, as prescribed in U. R. (sec. 67, paragraphs a, b, e, f, and i), so far as they apply to property pro-

vided and issued. Intrenching tools shall be worn by engineer and infantry commands.

The service hat shall be worn uniformly creased from front to rear, coat collar hooked and neck dressed in a uniform and soldierly manner.

The blanket roll "pack" shall contain blanket, bed sack, poncho, shelter tent pole and pins. (See I. D. R., 486-496).

III. Field artillery commands shall be paraded dismounted, in service uniform, olive drab, U. R., Schedule "c," and field equipment as prescribed in section 67, paragraphs *d*, *f*, and *i*(3) so far as they apply to property supplied and issued.

IV. Companies of the signal corps and cavalry commands shall be paraded dismounted, in service uniform, olive drab, U. R., Schedule "c," with field equipment as prescribed in section 67, paragraphs *c*, *e*, *f*, *h*, and *i*(2) so far as they apply.

The property issued or provided for mounted service shall be displayed and conveniently arranged for inspection.

V. Hospital corps detachments shall be paraded for inspection in service uniform, olive drab, Schedule "c," dismounted, and the complete field equipment as prescribed in U. R., section 67, paragraph *g*.

(a) Detachments inspected on a tan bark drill floor shall omit blanket rolls and mess kits, the component articles of which shall be inspected in lockers or storage.

(b) A detachment serving with a regiment, provisional regiment, squadron of cavalry or battalion of field artillery shall be inspected on the main drill floor at the headquarters of the command with which it is serving, and at the inspection of such detachments all medical field material and equipment not worn on the person, and property of other classes assigned to or intended for the use of the detachment, shall be displayed on the drill room floor, or if this be impracticable, displayed elsewhere separate and readily distinguishable from other material belonging to the command with which the detachment is serving.

Ambulances and harness shall be on the main drill floor prepared for inspection.

(c) These detachments shall be inspected at 8:00 P. M. on the day assigned, and the order of inspection shall be as follows:

- 1, property not worn on the person.
- 2, personnel and muster.
- 3, books and records.

Lockers shall not be inspected on this occasion, but by the inspector who inspects the post.

(d) A detachment serving with a company of signal corps, a battery of field artillery not part of a battalion, or a separate troop of cavalry, shall be inspected with the command with which it is serving.

(e) The medical property for use at a post prescribed in paragraph III, section 1, G. O., 35, A. G. O., 1909, shall be inspected at a post not a regimental headquarters, by the inspector who inspects the company or companies thereat.

(f) Accountable medical officers shall prepare inventories of medical property, and also of all the quartermaster, ordnance and commissary

property for which they are responsible, or which is at their disposal for the equipment of their detachment. Each post surgeon shall submit inventories of the property described in subdivision "d" of this paragraph, for which he is responsible, to the officer who inspects the detachment and the post.

(g) The commanding officer of a command mentioned in subdivision (b) of this paragraph, or his representative, shall be present at the inspection of the hospital corps detachments serving therewith. The quartermaster and ordnance officer of the command shall be present at the inspection of the detachment's property.

Inspecting officers shall forward to the chief surgeon, division, copies of all inventories submitted to them by medical officers.

VI. Officers of all organizations shall be uniformed and equipped to correspond with the troops. U. R., Table of Occasions, Schedule "c" (see note, page 58) and section 66.

Service uniform, olive drab, Schedule "b," dismounted, for garrison duty, or the uniform prescribed for the troops omitting revolver, field glass, and canteen, may be worn, for convenience, by the inspecting officers and those accompanying them.

VII. Commands to which two or more days are assigned shall have their post, books, records, and property examined on the first day at eight o'clock P. M., and the field, staff, non-commissioned staff officers and band shall be inspected and mustered the same evening.

The battalions shall be inspected on the second evening, beginning with the first battalion at eight o'clock, the second and third to follow without an intermission.

Three days will be assigned to the 65th and 74th Regiments where the first and second battalions shall be inspected on the second night and the third battalion on the third night, beginning at eight o'clock.

Commanding officers may, if they desire, change the order in which the battalions are to be inspected.

Officers or enlisted men of a command unavoidably prevented from being present with their particular organization may be mustered on any of the dates assigned to their regiment on request of their commanding officer.

VIII. Commands to which one day is assigned shall have their post, books, records and property examined at two o'clock or such hour in the afternoon as the inspecting officer shall designate, and the troops shall be inspected and mustered at eight o'clock P. M.

IX. The United States Army officers detailed by the War Department are required to obtain statements, in record form, on blanks furnished, of all military property and publications in the possession of State troops, showing all property on hand which must be presented for verification. (O. M. R., 147.)

Requisitions must be forwarded immediately on receipt of this order for all property needed to comply with the provisions of the supply tables of G. O., 31, A. G. O., 1908, and the regulations for field equipment. Commanding officers shall personally ascertain the property deficiencies and notify The Adjutant-General of the State thereof.

The requests for blank forms which may be needed should be made as provided by O. D. 63.

Inventory and Inspection report, Form 21.

Annual muster-roll, Forms 74 and 75a.

Inventories, Form 91 to 97.

Affidavits, Form 102.

Survey, Form 16, Div. Mil. Affairs.

X. The uniform and equipment shall be worn as for field service; special care shall be given to proper placing and adjustment of equipments for uniformity in appearance and ease in carriage.

The property not carried on the person shall be arranged in an orderly manner for examination, verification and inspection for serviceability.

XI. All books and records including the retained copy of the property returns, with required inventories, muster-rolls, in duplicate with a complete resumé of all service performed since previous muster, to show compliance with law, will be submitted for examination at the hour set for the inspection of the post.

Inspecting officers will ascertain and report whether or not military funds, headquarters' allowances and company funds are deposited in separate accounts in the name of the organization, and whether checks drawn on company funds are signed by the treasurer and the commanding officer, and whether or not treasurers have furnished proper security as required by M. L., 252.

XII. Application must be made for a board of survey for State and for a surveying officer for United States property in every case where public property is known to be lost or destroyed or accounts are not in agreement. R., 361, 362, and O. M. R., 6(4).

The application with schedule of property must be forwarded direct to the Adjutant-General, Division, Albany, at least ten days previous to the date of the inspection.

All evidence to be presented must be in form of affidavit (Form 102), and should be prepared before the application for a survey is made; it must be ready to submit not later than the date of inspection. R., 366.

XIII. All unserviceable property shall be presented to the inspecting officer, with view of condemnation, in such manner (R., 109) that he can readily ascertain its condition; for expeditious handling, each article must be so marked that its unserviceability can easily be seen.

Each class of property will be separately listed on Form 21 and sent direct to the Inspector-General at 280 Broadway, New York city, five days before the date of the inspection.

XIV. Commanding officers will be held personally responsible for deficiencies for which requisition has not been made and for the accuracy of property returns.

They shall see that the required inventories are prepared in advance of the inspection by the proper officers, and shall cause this order to be served upon the officers of their respective staffs and of the companies of their command, promptly upon its receipt, directing particular attention to this paragraph and shall report such action to these headquarters.

It is expected that conscientious effort will be made by all concerned to demonstrate advancement since the previous inspection and to show

that the requirements of the Militia Law have been complied with. Inspecting officers are enjoined to actively assist wherever possible in obtaining the best results.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD,
STATE OF NEW YORK.

CAPITOL, ALBANY, *November 18, 1910.*

GENERAL ORDERS, }
No. 19. }

I. Hereafter no officer or enlisted man will be permitted to practice with ball ammunition upon a field range unless he has previously qualified as a marksman on an armory or a field range.

II. Commanding Officers will cause this order to be read by company commanders to the enlisted men of their commands.

By command of Major-General Roe,

GEORGE ALBERT WINGATE,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *December 15, 1910.*

GENERAL ORDERS, }
No. 20. }

The result of the field small arms practice of the division for the season 1910, with reports of the State teams in the National Trophy match and the McAlpin and Dryden Trophy match, is published herewith for the information of all concerned.

The total of qualifications for this season is 10,273 as against 11,101 for the season of 1909. The fact that the new rifle range at Blauvelt was not ready for the practice of troops until October 1, after which date the New York and Brooklyn organizations were required to attend annual practice when only the 200 and 300 yards targets could be used, probably accounts for a reduction in the number of qualifications from the totals of 1909. The more difficult requirements to be fulfilled in

the distinguished expert class this year undoubtedly reduced materially the number of qualifications in that class.

The percentage of attendance is an improvement on that of last year.

The highest figure of merit is slightly less than last year, it being 92.26 as against 93.10 in 1909.

The result of season's work in small arms practice is creditable to the division as well as to Lieutenant-Colonel N. B. Thurston and Major W. M. Kirby, ordnance officers of the division, under whose direct supervision it has been performed and whose zeal and energy are appreciated by the whole military force of the State. They were ably assisted by Lieutenant-Colonel Bruch, Inspector-General, and other officers detailed for the purpose and by the ordnance officers serving with the brigades and regiments.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,

Lieutenant-Colonel Adjutant-General.

OFFICIAL:

.....
Adjutant-General.

Organization.	GENERAL PRACTICE.			QUALIFICATIONS.				FIGURE OF MERIT.			
	Strength of command present and absent at	Present at	Percentage of present at	As marks-man.	As sharp-shooter.	As expert.	As distinguished expert.	Total qualifications.	Qualifications of previous year, 1909.	1909.	1910.
Signal Corps.											
1st Company.....	81	71	88	65	3	3	2	73	65	38.77	35.97
2d ".....	56	40	71	36	.....	.....	.....	36	32	34.78	31.25
Total of Signal Corps (except officers serving with general officers).....	137	111	81	101	3	3	2	109	97	.....	.....
Corps of Engineers.											
22d Regiment, Corps of Engineers:											
field, staff and n. c. s.....	8	8	100	5	.....	2	.....	7	6	.....	.....
Band.....	28	19	68	11	1	.....	.....	12	1	.....	.....
1st Battalion:											
field, staff and n. c. s.....	5	5	100	3	.....	.....	.....	3	2	.....	.....
Company D.....	53	32	60	29	.....	1	.....	30	27	28.70	23.58
" G.....	61	57	93	51	.....	1	1	53	44	34.85	22.88
" I.....	53	39	74	35	.....	.....	1	36	41	36.72	19.81
" K.....	51	44	86	37	2	1	1	41	35	39.81	27.45
Total.....	223	177	79	155	2	3	3	163	149	.....	.....
2d Battalion:											
field, staff and n. c. s.....	5	4	80	3	.....	.....	.....	3	4	.....	.....
Company A.....	66	36	55	35	.....	.....	.....	35	35	27.21	19.23
" C.....	50	41	82	38	.....	.....	.....	38	42	41.23	28.00
" E.....	57	42	75	43	.....	.....	.....	43	31	29.66	24.14
" L.....	59	43	73	39	.....	.....	.....	39	29	19.59	18.64
Total.....	237	166	70	158	.....	.....	.....	158	141	.....	.....

21

3d Battalion:												
field, staff and n. c. s.	5	4	80	4					4	2		
Company B	50	27	54	26					26	25	23.27	18.00
" F	82	43	52	36					36	41	29.87	12.80
" H	49	40	82	36			2		38	36	35.00	19.39
" M	44	39	89	34					34	34	31.35	20.46
Total	230	153	67	136		2			138	138		
Total of Corps of Engineers (except officers serving with general officers)												
	726	523	72	465	3	7	3	478	435			
Cavalry.												
Squadron "A"	253	246	97	184	7	26	19	236	225			
field, staff and n. c. s.	4	4	100	3				3				
Troop I	63	63	100	49	2	5	6	62	58	60.77	61.11	
" II	63	58	92	49	2	4	3	58	56	63.49	53.17	
" III	65	63	97	40	2	13	7	62	65	66.15	70.77	
" IV	58	58	100	43	1	4	3	51	46	61.54	60.34	
Troop B	69	57	83	25	8	23	5	61	66	55.30	41.30	
Squadron "C"	212	183	86	170				170	168			
field, staff and n. c. s.	4	4	100	4				4	4			
Troop V	56	53	95	47				47	42	54.00	38.39	
" VI	50	45	90	43				43	43	55.88	37.00	
" VII	51	41	80	41				41	41	53.00	40.20	
" VIII	51	40	78	35				35	38	50.96	27.45	
Troop D	62	62	100	36	7	10	8	61	63	75.38	82.26	
Total of Cavalry	596	548	92	415	22	59	32	528	522			
Field Artillery.												
1st Battalion	335	220	66	208				208	188			
field, staff and n. c. s.	9	7	78	6				6	5			
1st Battery	109	77	71	72				72	59	33.01	22.27	
2d "	103	84	82	84				84	67	36.72	29.13	
3d "	114	52	46	46				46	57	26.72	14.47	

Organization.	GENERAL PRACTICE.		QUALIFICATIONS.				FIGURE OF MERIT.			
	Strength of command present and absent at	Percentage of present at	As marksman.	As sharpshooter.	As expert.	As distinguished expert.	Total qualifications.	Qualifications of previous year, 1909.	1909.	1910.
6th Battery.....	113	97	86	77	.....	.....	77	78	50.47	42.92
Total of Field Artillery.....	448	317	71	285	.....	.....	288	266	.....	.....
Coast Artillery Corps.										
Headquarters, Coast Artillery Corps.....	1,012	617	61	413	.....	.....	413	515	.....	.....
13th District.....	31	26	84	13	.....	.....	13	26	.....	.....
field, staff and n. c. s.....	27	15	56	10	.....	.....	10	8	.....	.....
Band.....	101	55	54	37	.....	.....	37	38	19.80	9.41
1st Company (A).....	80	48	60	31	.....	.....	31	42	26.54	10.87
2d " (B).....	70	51	73	37	.....	.....	37	45	30.72	12.50
3d " (C).....	92	52	56	43	.....	.....	43	49	27.18	12.50
4th " (D).....	69	33	48	24	.....	.....	24	48	25.77	9.42
5th " (E).....	100	70	70	47	.....	.....	47	64	38.89	12.50
6th " (F).....	79	56	71	36	.....	.....	36	37	25.00	10.36
7th " (G).....	89	50	56	43	.....	.....	43	42	23.44	14.20
8th " (H).....	64	34	53	20	.....	.....	20	32	26.15	7.03
9th " (I).....	77	44	57	24	.....	.....	24	22	16.00	5.48
10th " (K).....	63	36	57	24	.....	.....	24	28	22.30	7.14
11th " (L).....	70	47	67	24	.....	.....	24	34	25.36	12.14
12th " (M).....	70	47	67	24	.....	.....	24	34	25.36	12.14
9th Artillery District.....	725	487	67	338	1	1	340	423	.....	.....
field, staff and n. c. s.....	19	17	89	14	.....	.....	15	16	.....	.....
Band.....	26	22	85	11	.....	.....	11	18	.....	.....
13th Company (A).....	56	45	80	30	.....	.....	30	32	33.65	7.14
14th " (B).....	71	52	73	40	.....	.....	40	37	30.30	9.28
15th " (C).....	78	53	68	35	.....	.....	35	48	32.88	3.95
16th " (D).....	72	37	51	33	.....	.....	33	49	32.71	11.11
17th " (E).....	60	34	57	31	.....	.....	31	26	27.55	10.83
18th " (F).....	74	50	68	28	1	.....	29	52	38.35	9.33
19th " (G).....	79	52	66	30	.....	.....	30	41	27.21	10.12
20th " (H).....	63	43	68	30	.....	.....	30	46	33.33	6.35
21st " (I).....	63	42	67	24	.....	.....	24	27	31.25	13.49
22d " (K).....	64	40	63	32	.....	.....	32	31	28.95	7.81

23d	"	(L) (not organized)																		
24th	"	(M) (not organized)																		
8th Artillery District																				
field, staff and n. c. s.			582	424	73	277	2	1	4	284	414									
Band			19	14	74	3				7	15									
25th Company	(A)		3	3	100	2		1	3											
26th	"	(B)	74	60	81	35	1			2										
27th	"	(D)	49	38	78	26				36	45	28.16	14.38							
28th	"	(F)	48	31	65	21				27	38	39.21	10.20							
29th	"	(G)	48	39	81	26				21	33	30.56	5.21							
30th	"	(H)	61	47	77	17				26	29	32.61	9.37							
31st	"	(I)	67	46	69	35	1			17	67	40.76	3.33							
32d	"	(K)	96	63	66	59				36	37	42.71	5.22							
33d	"		58	47	81	28				59	61	35.55	9.37							
			59	36	61	25				28	66	58.22	7.76							
										25	23	26.09	3.39							
Total Coast Artillery Corps																				
			2,319	1,528	66	1,028	3	2	4	1,037	1,352									
1st Regiment																				
field, staff and n. c. s.			951	856	91	505	112	181	44	842	959									
Band (note 1)			21	20	95	9		4	3	16	20									
Company A (28th Sep. Co.)																				
"	B	(44th " ")	85	71	84	44	4	1	1	50	69	42.71	35.29							
"	C	(39th " ")	92	76	83	61	8	1		70	74	44.00	46.67							
"	D	(40th " ")	73	68	93	38	29	1	3	71	72	52.66	43.05							
"	E	(10th " ")	63	61	97	38	6	10	3	57	60	67.46	59.68							
"	F	(33d " ")	94	87	93	61	7	12	5	85	90	60.31	61.95							
"	G	(3d " ")	68	61	90	25	5	31	6	67	81	62.50	59.58							
"	H	(20th " ")	70	68	97	10	7	56	5	78	78	50.00	76.47							
"	I	(24th " ")	87	83	95	52	8	15	9	84	92	64.73	64.12							
"	K	(27th " ")	70	62	89	33	7	21	4	65	86	55.26	55.88							
"	L	(5th " ")	76	72	95	55	14	7	4	69	91	56.99	44.00							
"	M	(31st " ")	87	79	91	43	7	16	4	70	80	46.28	36.47							
			65	57	88	36	16	13	1	60	66	55.26	52.38							
2d Regiment																				
field, staff and n. c. s.			862	823	95	356	116	293	53	818	970									
Band (note 1)			20	20	100	15	1	4		20	22									
Company A (6th Sep. Co.)																				
"	B	(7th " ")	73	72	99	26	23	20	2	71	85	57.56	58.32							
"	C	(12th " ")	92	89	97	55	12	13	4	84	96	52.53	43.33							
"	D	(21st " ")	69	61	88	26	14	11	1	52	63	50.00	20.90							
"	E	(36th " ")	73	69	95	25	20	24	2	71	76	54.48	50.00							
"	F	(37th " ")	98	93	95	49	20	25	1	95	103	71.84	69.79							
			76	75	99	3	3	56	14	76	90	84.52	84.67							

Organization.	GENERAL PRACTICE.			QUALIFICATIONS.				FIGURE OF MERIT.			
	Strength of command present and absent at	Present at	Percentage of present at	As marks-man.	As sharp-shooter.	As expert.	As distinguished expert.	Total qualifications.	Qualifications of previous year, 1909.	1909.	1910.
Company G (19th " ")	69	68	98	40	6	13	10	69	72	70.83	60.87
" H (46th " ")	61	55	90	31	8	25	1	64	76	62.34	68.64
" I (9th " ")	47	39	83	21	2	17	3	41	60	58.33	42.39
" K (18th " ")	58	57	98	40	.....	11	7	54	80	76.58	60.52
" L (22d " ")	53	52	98	16	4	21	7	48	66	72.22	56.60
" M (32d " ")	73	73	100	9	3	53	8	73	81	68.67	61.97
	928	856	92	535	183	137	67	922	1,005		
3d Regiment	22	21	95	10	2	6	4	22	22		
field, staff and n. c. s.					1	.....	1	74	90	69.66	65.49
Band (note 1)	71	70	99	57	8	7	2	62	73	64.67	58.95
Company A (8th Sep. Co.)	67	63	94	33	16	12	1	75	68	68.05	56.67
" B (34th " ")	75	75	100	48	2	12	13	57	67	65.71	62.71
" C (41st " ")	59	59	100	50	7	.....	.....	82	100	66.67	55.88
" D (48th " ")	85	69	81	19	28	31	4	99	99	77.50	72.00
" E (42d " ")	100	100	100	69	30	.....	.....	66	76	74.34	63.04
" F (29th " ")	69	67	97	37	17	8	4	61	82	79.76	78.57
" G (50th " ")	63	63	100	31	19	7	9	76	74	82.00	77.27
" H (1st " ")	77	77	100	41	13	13	.....	54	62	52.82	53.79
" I (43d " ")	66	59	89	40	14	.....	.....	91	100	76.96	93.33
" K (47th " ")	90	90	100	61	9	13	8	102	92	93.10	92.26
" L (30th " ")	84	83	99	39	17	28	18				
	856	757	88	587	48	77	45	757	635		
7th Regiment	27	20	95	9	2	6	1	18	12		
field, staff and n. c. s.					.....	.....	1	55	52	53.17	50.00
Band (note 1)	65	52	80	48	3	3	3	79	63	58.22	54.32
Company A	83	81	98	62	3	3	7	71	73	55.88	44.73
" B	78	72	92	49	8	7	2	60	47	37.50	45.72
" C	71	61	86	50	4	4	6	60	47	41.02	30.86
" D	82	61	74	44	6	6	4	76	61	46.91	40.12
" E	83	78	94	64	3	3	3	60	44	41.55	57.14
" F	72	62	86	46	3	2	6	78	76	61.11	43.13
" G	82	79	96	68	2	6	2	70	61	50.00	50.00
" H	77	71	92	46	5	15	4	78	65	43.02	39.47
" I	97	80	82	63	3	3	9	40	34	40.70	45.35
" K	45	40	89	31	4	2	3				
" L					.....	.....	.....	
" M (not organized)					.....	.....	.....	

10th Regiment.....	779	630	81	446	80	104	21	651	621	.....	.....
field, staff and n. c. s.....	22	16	73	10	3	4	1	18	9	.....	.....
Band.....	28	9	32	2	2	2	.....	6	1	.....	.....
Company A (26th Sep. Co.).....	38	34	89	17	2	13	1	33	37	42.39	41.67
" B (35th " ").....	52	28	54	25	8	8	1	42	51	50.82	26.48
" C (38th " ").....	31	22	71	26	9	9	.....	44	37	33.05	35.48
" D (45th " ").....	48	34	100	25	5	3	.....	33	49	49.17	30.85
" E (16th " ").....	42	42	100	23	7	9	2	41	55	65.74	55.95
" F (23d " ").....	58	56	97	56	.....	.....	.....	56	61	49.29	42.24
" G (4th " ").....	66	47	71	26	16	4	.....	46	30	16.34	40.00
" H (17th " ").....	79	51	65	44	7	5	.....	56	53	37.65	32.90
" I (11th " ").....	97	88	90	75	7	2	.....	84	47	27.45	47.92
" J (15th " ").....	68	60	88	44	4	9	.....	59	62	49.28	43.94
" K (49th " ").....	68	61	90	31	7	17	2	58	53	39.47	34.09
" L (14th " ").....	82	82	100	42	3	19	11	75	76	51.12	53.75
12th Regiment.....	835	432	52	325	.....	1	9	335	392	.....	.....
field, staff and n. c. s.....	23	19	83	13	.....	1	4	18	15	.....	.....
Band.....	8	7	88	4	.....	.....	.....	4	5	.....	.....
Company A.....	81	35	43	27	.....	.....	1	28	31	22.97	9.25
" B.....	69	46	67	31	.....	.....	.....	31	42	42.50	15.22
" C.....	67	25	37	20	.....	.....	.....	20	31	27.69	6.72
" D.....	64	35	55	25	.....	.....	.....	25	31	27.20	11.72
" E.....	66	45	68	35	.....	.....	.....	35	39	33.33	12.88
" F.....	61	30	49	24	.....	.....	.....	1	25	31	30.00
" G.....	72	45	63	38	.....	.....	2	40	41	32.86	23.61
" H.....	91	45	49	26	.....	.....	.....	26	24	18.05	5.56
" I.....	83	39	45	31	.....	.....	1	32	38	28.03	3.66
" J.....	70	29	41	27	.....	.....	.....	27	23	20.54	12.86
" K.....	80	32	40	24	.....	.....	.....	24	41	25.00	7.69
" L (not organized).....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
14th Regiment.....	645	457	71	322	.....	.....	.....	322	353	.....	.....
field, staff and n. c. s.....	21	20	95	15	.....	.....	.....	15	19	.....	.....
Band.....	3	3	100	.....	.....	.....	.....	.....	.....	.....	.....
Company A.....	66	56	85	46	.....	.....	.....	46	50	40.62	10.77
" B.....	51	44	86	24	.....	.....	.....	24	28	30.55	15.31
" C.....	40	28	70	16	.....	.....	.....	16	21	23.00	7.50
" D.....	53	32	60	20	.....	.....	.....	20	29	24.63	8.65
" E.....	76	54	71	45	.....	.....	.....	45	40	24.07	12.84
" F.....	45	34	76	16	.....	.....	.....	16	22	21.57	6.97
" G.....	58	23	41	19	.....	.....	.....	19	19	15.15	12.96
" H.....	47	30	64	24	.....	.....	.....	24	30	24.60	11.11
" I.....	46	33	72	32	.....	.....	.....	32	19	20.21	14.77
" J.....	51	36	71	24	.....	.....	.....	24	29	21.97	5.10
" K.....	44	30	69	17	.....	.....	.....	17	21	24.47	9.09
" L.....	44	30	74	24	.....	.....	.....	24	26	34.09	9.78
" M.....	46	34	74	24	.....	.....	.....	24	26	34.09	9.78

Organization.	GENERAL PRACTICE.			QUALIFICATIONS.				FIGURE OF MERIT.		
	Strength of command present and absent at	Present at	Percentage of present at	As marks-man.	As sharp-shooter.	As expert.	As distinguished expert.	Total qualifications.	Qualifications of previous year, 1909.	1910.
23d Regiment	677	495	73	454		3	7	464	474	
field, staff and n. c. s.	20	18	90	14			4	18	16	
Band	12	2	17					43	35	37.50
Company A	53	47	89	43				44	32	39.13
" B	61	46	75	44				45	38	40.56
" C	57	48	84	45				33	34	37.96
" D	48	33	69	31		2		36	52	58.03
" E	52	38	73	36				23	32	31.48
" F	43	26	60	23				71	64	43.09
" G	88	74	84	70			1	31	34	32.73
" H	51	32	63	31				28	22	27.17
" I	39	28	72	26				2	28	41.23
" J	52	43	83	35		1		36	40	40.00
" K	54	32	59	30				30	40	40.00
" L	54	32	59	30				26	35	36.54
" M	47	28	60	26				26	35	36.54
47th Regiment	700	356	51	288			3	291	405	
field, staff and n. c. s.	22	14	64	13				15	20	
Band	5	1	20	1				1	2	
Company A	71	42	59	37				37	52	31.76
" B	87	55	63	38				38	35	33.33
" C	50	25	50	22				22	30	25.83
" D	73	30	41	27				27	27	18.66
" E	76	31	40	27				27	34	28.03
" F	68	23	34	18				18	38	23.59
" G	102	56	55	40			1	41	62	28.95
" H (not organized)										
" I	85	36	43	23				23	52	39.85
" J	61	43	70	42				42	53	43.15
" K (not organized)										
" L (not organized)										
" M (not organized)										
55th Regiment	653	596	91	321	108	131	26	586	671	
field, staff and n. c. s.	21	19	90	10		8		20	21	
Band	2	2	100	1				1	2	
Company A	51	44	86	20	11	14		46	57	58.20
" B	64	56	88	32	12	10		54	55	54.35

"	C.....	59	56	98	37	10	6	2	55	66	61.59	59.65
"	D.....	66	63	95	33	14	14		61	76	63.29	65.91
"	E (13th Sep. Co.).....	80	80	100	29	19	17	16	81	73	84.72	79.38
"	F.....	55	49	89	31	1	14	1	47	69	53.52	52.73
"	G.....	80	71	89	29	16	13	3	71	76	65.06	64.38
"	H.....	67	56	84	28	15	7		51	65	55.71	41.79
"	I.....	55	53	46	30	7	13	1	51	57	63.79	52.73
"	K.....	55	49	89	31	1	15	1	48	54	50.77	41.82
"	L (not organized).....											
"	M (not organized).....											
69th Regiment.....												
	field, staff and n. c. s.....	731	390	53	344			1	345	465		
	Band.....	20	18	90	8				8	13		
	Company A.....	3	2	67	1				1	1		
"	B.....	70	45	64	38				38	49	29.21	17.86
"	C.....	56	34	61	31				31	33	25.71	19.64
"	D.....	62	35	56	31				31	33	28.95	14.51
"	E.....	92	41	45	33			1	34	75	44.05	10.87
"	F.....	88	40	45	38				38	54	38.07	13.07
"	G.....	64	40	63	38				38	60	56.94	17.19
"	H.....	62	34	55	33				33	39	40.18	18.55
"	I.....	60	21	35	17				17	19	15.38	8.34
"	K.....	91	52	57	51				51	65	38.00	13.19
"	L (not organized).....	63	28	44	25				25	24	19.84	7.81
"	M (not organized).....											
71st Regiment.....												
	field, staff and n. c. s.....	860	606	70	555			8	563	522		
	Band (note 1).....	22	19	86	16			1	17	15		
	Company A.....	61	40	66	34				34	35	30.85	16.95
"	B.....	74	69	93	65				66	58	47.14	42.36
"	C.....	85	54	64	50			1	50	30	21.25	21.08
"	D.....	61	40	66	39				39	50	47.58	16.10
"	E.....	73	57	78	48			1	49	46	38.46	24.65
"	F.....	69	38	55	37				37	26	26.78	8.21
"	G.....	62	57	92	53				53	57	46.87	31.67
"	H.....	65	44	68	41				42	42	39.83	17.46
"	I.....	72	57	79	51			1	52	43	42.61	35.00
"	K.....	103	64	62	58				61	63	35.64	28.22
"	L.....	55	35	64	31			3	31	25	27.08	14.15
"	M.....	58	32	55	32				32	32	31.82	12.28

Organization.	GENERAL PRACTICE.			QUALIFICATIONS.				FIGURE OF MERIT.		
	Strength of command present and absent at	Present at	Percentage of present at	As marks-man.	As sharp-shooter.	As expert.	As distinguished expert.	Total qualifications.	Qualifications of previous year, 1909.	1910.
74th Regiment.....	729	581	80	460	24	57	23	564	585	.....
field, staff and n. c. s.	21	19	90	12	.....	2	2	16	19	.....
Band (note 1).....	.....	.....	.....	.....	.....	.....	.....	1	1	.....
Company A.....	52	41	79	39	1	2	.....	42	49	50.00
" B.....	50	41	82	34	1	2	1	38	35	38.79
" C.....	55	43	78	32	2	3	2	39	44	48.27
" D.....	65	50	77	38	2	5	5	50	51	51.43
" E.....	63	49	78	36	2	7	.....	45	54	36.63
" F.....	64	54	84	48	.....	3	3	54	53	48.65
" G.....	76	61	80	44	6	3	4	57	52	44.67
" H.....	60	43	72	29	4	10	2	45	47	49.21
" I.....	50	46	80	28	.....	11	1	40	45	48.36
" J.....	50	48	83	47	1	2	1	51	55	60.16
" K (25th Sep. Co.).....	58	44	75	31	4	3	2	40	46	43.57
" L.....	59	44	75	31	4	3	2	40	46	43.57
" M.....	56	47	86	41	1	4	.....	46	34	38.37
Total Infantry.....	10,206	7,844	77	5,491	669	984	304	7,448	8,063	.....
Quartermaster's Department.										
Officers, except those serving with general officers... ..	48	43	90	22	4	3	4	33	36	.....
Post quartermaster sergeants.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Subsistence Department.										
Officers, except those serving with general officers... ..	8	7	88	3	1	1	.....	5	5	.....
Post commissary sergeants.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Medical Department.										
Officers, except those serving with general officers and field hospital.....	103	95	92	59	4	18	9	90	82	.....
Hospital corps.....	355	255	72	119	7	8	2	136	125	.....
*Field hospital.....	52	36	69	30	.....	.....	.....	30	25	23.27
Total.....	510	386	76	208	11	26	11	256	232	.....

Ordnance Department.										
Officers, except those serving with general officers....	27	26	96	8	3	2	13	26	.....	.....
Ordnance sergeants.....	17	17	100	5	1	2	8	16	41	.....
Total	44	43	98	13	4	4	21	42	.....	.....
Recapitulation of Staff Departments:										
Quartermaster's Department.....	48	43	90	22	4	3	4	33	36	.....
Subsistence Department.....	8	7	88	3	1	1	.....	5	5	.....
Medical Department.....	510	386	76	208	11	26	11	256	232	.....
Ordnance Department.....	44	43	98	13	4	4	21	42	41	.....
Total of Staff Departments	610	479	79	246	20	34	36	336	314	.....
Total of Signal Corps.....	137	111	81	101	3	3	2	109	97	.....
Total of Corps of Engineers (22d Regiment).....	726	523	72	465	3	7	3	478	435	.....
Total of Cavalry.....	596	548	92	415	22	59	32	528	522	.....
Total Field Artillery.....	448	317	71	285	.....	.....	.....	285	266	.....
Total Coast Artillery Corps.....	2,319	1,528	66	1,028	3	2	4	1,037	1,352	.....
Total Infantry.....	10,206	7,844	77	5,491	669	984	304	7,448	8,063	.....
Grand total	15,042	11,350	75	8,031	720	1,089	381	10,221	11,049	.....
To which add										
Office of The Adjutant-General.....	.....	.....	.....	1	.....	.....	2	3	2	.....
Headquarters Division.....	.....	.....	.....	3	2	.....	4	9	7	.....
Headquarters Coast Artillery Corps.....	.....	.....	.....	.....	.....	.....	.....	.....	3	.....
Headquarters First Brigade.....	.....	.....	.....	2	.....	.....	.....	6	4	.....
Headquarters Second Brigade.....	.....	.....	.....	2	.....	.....	7	9	11	.....
Headquarters Third Brigade.....	.....	.....	.....	2	3	3	1	9	12	.....
Headquarters Fourth Brigade.....	.....	.....	.....	1	3	.....	2	6	7	.....
Supernumerary and retired officers.....	.....	.....	.....	8	.....	.....	2	10	9	.....
Total qualifications.....	.....	.....	.....	8,050	728	1,092	403	10,273	11,101	.....

* These figures under general practice include officers (4-3) and enlisted men (48-33).
 Note 1— Not required to practice.

The Figure of Merit of an organization is computed thus: "The percentage of the entire class shooting strength of the company (present and absent) qualifying as marksmen on the day of general practice added to the percentage of the entire class shooting strength of the company (present and absent) qualifying as marksmen on the day of general practice in not more than fifteen shots each, and the sum thereof divided by two, shall constitute the figure of merit for the year."

The following is the General Figure of Merit obtained by the various organizations in Small Arms Practice in 1910:

FIGURE OF MERIT 1910.

COMPANY.	First string.	Possible	Per cent.	Actual marksmen.	Possible	Per cent.	Figure of merit.
		num-ber.			m'ks-men.		
1. M, 3d Regt.....	72	84	85.71	63	84	98.81	92.26
2. F, 2d Regt.....	53	75	70.67	74	75	98.67	84.67
3. Troop D.....	41	62	66.13	61	62	98.39	82.26
4. E, 65th Regt.....	51	80	63.75	76	80	95.00	79.38
5. H, 3d Regt.....	39	63	61.90	60	63	95.24	78.57
6. I, 3d Regt.....	44	77	57.14	75	77	97.40	77.27
7. G, 1st Regt.....	38	68	55.88	66	68	97.06	76.47
8. L, 3rd Regt.....	50	90	55.56	82	90	91.11	73.33
9. F, 3d Regt.....	50	100	50.00	94	100	94.00	72.00
10. Troop 3, Squadron A.....	32	65	49.23	60	65	92.31	70.77
11. E, 2d Regt.....	48	96	50.00	86	96	89.58	69.79
12. H, 2d Regt.....	33	59	55.93	48	59	81.36	68.64
13. C, 3d Regt.....	29	75	38.67	71	75	94.67	66.67
14. D, 65th Regt.....	29	66	43.94	58	66	87.88	65.91
15. A, 3d Regt.....	28	71	39.44	65	71	91.55	65.49
16. G, 65th Regt.....	34	80	42.50	69	80	86.25	64.38
17. H, 1st Regt.....	34	85	40.00	75	85	88.24	64.12
18. G, 3d Regt.....	27	69	39.13	60	69	86.96	63.04
19. D, 3d Regt.....	25	59	42.37	49	59	83.05	62.71
20. M, 2d Regt.....	27	71	38.03	61	71	85.92	61.97
21. E, 1st Regt.....	35	92	38.04	79	92	85.87	61.95
22. Troop 1, Squadron A.....	22	63	34.92	55	63	87.30	61.11
23. G, 2d Regt.....	23	69	33.33	61	69	88.41	60.87
24. K, 2d Regt.....	20	57	35.09	49	57	85.96	60.52
25. Troop 4, Squadron A.....	24	58	41.38	46	58	79.31	60.34
26. D, 1st Regt.....	24	62	38.71	50	62	80.65	59.68
27. C, 65th Regt.....	57	22	38.60	57	46	80.70	59.65
28. F, 1st Regt.....	27	68	39.71	54	68	79.41	59.56
29. B, 3d Regt.....	21	67	31.34	58	67	86.57	58.95
30. A, 2d Regt.....	22	72	30.56	62	72	86.11	58.32
31. G, 7th Regt.....	27	70	38.57	53	70	75.71	57.14
32. L, 2d Regt.....	16	53	30.19	44	53	83.02	56.60
33. E, 10th Regt.....	13	42	30.95	34	42	80.95	55.95
34. E, 3d Regt.....	30	85	35.29	65	85	76.47	55.88
35. I, 1st Regt.....	20	68	29.41	56	68	82.35	55.88
36. F, 74th Regt.....	22	32	35.48	46	62	74.19	54.84
37. B, 7th Regt.....	24	81	29.63	64	81	79.01	54.32
38. K, 3d Regt.....	20	66	30.30	51	66	77.27	53.79
39. M, 10th Regt.....	23	80	28.75	63	80	78.75	53.75
40. Troop 2, Squadron A.....	18	63	28.57	49	63	77.78	53.17
41. I, 65th Regt.....	15	55	27.27	43	55	78.18	52.73
42. F, 65th Regt.....	14	55	25.45	44	55	80.00	52.73
43. M, 1st Regt.....	16	63	25.40	50	63	79.37	52.38
44. D, 74th Regt.....	25	63	39.68	41	63	65.08	52.38
45. H, 74th Regt.....	21	58	36.21	39	58	67.24	51.72
46. B, 65th Regt.....	17	64	26.56	49	64	76.56	51.56

COMPANY.	First string.	Possible number.	Per cent.	Actual marks-men.	Possible marks-men.	Per cent.	Figure of merit.
47. I, 7th Regt.....	23	75	30.67	52	75	69.33	50.00
48. A, 7th Regt.....	17	63	26.98	46	63	73.02	50.00
49. A, 74th Regt.....	17	51	33.33	34	51	66.67	50.00
50. D, 2d Regt.....	17	71	21.13	56	71	78.87	50.00
51. G, 74th Regt.....	22	74	29.73	49	74	66.22	47.97
52. I, 10th Regt.....	22	96	22.92	70	96	72.92	47.92
53. B, 74th Regt.....	14	48	29.17	32	48	66.67	47.92
54. I, 74th Regt.....	13	48	27.08	33	48	68.75	47.92
55. A, 65th Regt.....	12	51	23.53	36	51	70.59	47.06
56. B, 1st Regt.....	23	90	25.56	61	90	67.78	46.67
57. M, 74th Regt.....	9	54	16.67	41	54	75.93	46.30
58. E, 74th Regt.....	12	61	19.67	44	61	72.13	45.90
59. D, 7th Regt.....	17	69	24.78	46	69	66.67	45.72
60. L, 7th Regt.....	13	43	30.23	26	43	60.47	45.35
61. C, 7th Regt.....	18	76	23.68	50	76	65.79	44.73
62. K, 74th Regt.....	15	56	26.79	35	53	62.50	44.65
63. C, 74th Regt.....	14	53	26.42	33	53	62.26	44.34
64. K, 1st Regt.....	12	75	16.00	54	75	72.00	44.00
65. K, 10th Regt.....	13	66	19.70	45	66	68.18	43.94
66. B, 2d Regt.....	14	90	15.56	64	90	71.11	43.33
67. H, 7th Regt.....	15	80	18.75	54	80	67.50	43.13
68. C, 1st Regt.....	12	72	16.67	50	72	69.44	43.05
69. 6th Battery, F. A.....	31	113	27.43	66	113	58.41	42.92
70. I, 2d Regt.....	9	46	19.57	30	46	65.22	42.39
71. B, 71st Regt.....	18	72	25.00	43	72	59.72	42.36
72. E, 10th Regt.....	6	58	10.34	43	58	74.14	42.24
73. L, 74th Regt.....	13	56	23.21	34	56	60.71	41.96
74. K, 65th Regt.....	0	55	16.36	37	55	67.27	41.82
75. H, 65th Regt.....	13	67	19.40	43	67	64.18	41.79
76. A, 10th Regt.....	6	36	16.67	24	36	66.67	41.67
77. Troop B.....	12	69	17.39	45	69	65.22	41.30
78. Troop 7, Squadron C.....	9	51	17.65	32	51	62.75	40.20
79. F, 7th Regt.....	14	81	17.28	51	81	62.96	40.12
80. G, 10th Regt.....	12	65	18.46	40	65	61.54	40.00
81. K, 7th Regt.....	16	95	16.84	59	95	62.11	39.47
82. Troop 5, Squadron C.....	7	56	12.50	36	56	64.29	38.39
83. Troop 6, Squadron C.....	7	50	14.00	30	50	60.00	37.00
84. L, 1st Regt.....	12	85	14.12	50	85	58.82	36.47
85. 1st Co., S. C.....	12	82	14.63	47	82	57.32	35.97
86. A, 23d Regt.....	9	53	16.98	29	53	54.72	35.85
87. C, 10th Regt.....	5	31	16.13	17	31	54.84	35.48
88. A, 1st Regt.....	13	85	15.29	47	85	55.29	35.29
89. I, 71st Regt.....	11	70	15.71	38	70	54.29	35.00
90. L, 10th Regt.....	7	66	10.61	38	66	57.78	34.09
91. H, 10th Regt.....	8	76	10.53	42	76	55.26	32.90
92. G, 71st Regt.....	10	60	16.67	28	60	46.67	31.67
93. 2d Co., S. C.....	10	56	17.86	25	56	44.64	31.25
94. K, 47th Regt.....	10	61	16.39	28	61	45.90	31.14
95. K, 23d Regt.....	6	50	12.00	25	50	50.00	31.00
96. E, 7th Regt.....	10	81	12.35	40	81	49.38	30.86
97. D, 10th Regt.....	5	47	10.64	24	47	51.06	30.85
98. 2d Battery, F. A.....	14	103	13.59	46	103	44.66	29.13
99. K, 71st Regt.....	15	101	14.85	42	101	41.58	28.22
100. C, 2d Bat. Engr.....	5	50	10.00	23	50	46.00	28.00
101. K, 1st Bat. Engr.....	5	51	9.80	23	51	45.10	27.45
102. Troop 8, Squadron C.....	4	51	7.84	24	51	47.06	27.45
103. E, 23d Regt.....	6	49	12.24	20	49	40.82	26.53
104. B, 10th Regt.....	7	51	13.73	20	51	39.22	26.48
105. E, 71st Regt.....	5	71	7.04	31	71	42.25	24.65

652 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

COMPANY.	First string.	Possible	Actual		Possible	Figure	
		num-ber.	Per cent.	marks.	m'ks-men.	Per cent.	of merit.
106. G, 23d Regt.	7	86	8.14	35	86	40.68	24.41
107. E, 2d Bat. Engr.	3	58	5.17	25	58	43.10	24.14
108. M, 23d Regt.	3	44	6.82	18	44	40.91	23.86
109. G, 12th Regt.	7	72	9.72	27	72	37.50	23.61
110. D, 1st Bat. Engr.	3	53	5.66	22	53	41.51	23.58
111. G, 1st Bat. Engr.	7	59	11.86	20	59	33.90	22.88
112. B, 23d Regt.	6	60	10.00	21	60	35.00	22.50
113. 1st Batt'y, F. A.	8	110	7.27	41	110	37.27	22.27
114. Field Hospital.	2	52	3.85	21	52	40.38	22.11
115. C, 71st Regt.	7	83	8.43	28	83	33.73	21.08
116. C, 2d Regt.	2	67	2.99	26	67	38.81	20.90
117. D, 23d Regt.	1	46	2.17	18	46	39.13	20.65
118. M, 3d Bat. Engr.	4	44	9.10	14	44	31.82	20.46
119. C, 23d Regt.	1	55	1.82	21	55	38.18	20.00
120. I, 1st Bat. Engr.	3	53	5.66	18	53	33.96	19.81
121. B, 69th Regt.	3	56	5.36	19	56	33.93	19.64
122. H, 3d Bat. Engr.	3	49	6.12	16	49	32.65	19.39
123. H, 23d Regt.	2	49	4.08	17	49	34.69	19.39
124. A, 2d Bat. Engr.	5	65	7.69	20	65	30.77	19.23
125. L, 2d Bat. Engr.	1	59	1.69	21	59	35.59	18.64
126. G, 69th Regt.	4	62	6.45	19	62	30.65	18.55
127. B, 3d Bat. Engr.	4	50	8.00	14	50	28.00	18.00
128. A, 69th Regt.	4	70	5.71	21	70	30.00	17.86
129. H, 71st Regt.	3	63	4.76	19	63	30.16	17.46
130. F, 69th Regt.	3	64	4.69	19	64	29.69	17.19
131. A, 71st Regt.	3	59	5.08	17	59	28.81	16.95
132. I, 23d Regt.	3	37	8.11	9	37	24.32	16.21
133. D, 71st Regt.	3	59	5.08	16	59	27.12	16.10
134. F, 23d Regt.	1	41	2.44	12	41	29.27	15.85
135. B, 14th Regt.	2	49	4.08	13	49	26.53	15.31
136. B, 12th Regt.	6	69	8.70	16	69	21.74	15.22
137. I, 14th Regt.	0	44	0	13	44	29.55	14.77
138. F, 12th Regt.	3	61	4.92	15	61	24.59	14.75
139. C, 69th Regt.	3	62	4.84	15	62	24.19	14.51
140. 3d Batt'y, F. A.	6	114	5.26	27	114	23.68	14.47
141. 25th Co., C. A. C.	5	73	6.85	16	73	21.92	14.38
142. 8th Co., C. A. C.	5	88	5.68	20	88	22.73	14.20
143. L, 71st Regt.	2	53	3.77	13	53	24.53	14.15
144. 21st Co., C. A. C.	2	63	3.17	15	63	23.81	13.49
145. I, 69th Regt.	3	91	3.30	21	91	23.08	13.19
146. E, 69th Regt.	1	88	1.14	22	88	25.00	13.07
147. G, 14th Regt.	4	54	7.41	10	54	18.52	12.96
148. E, 12th Regt.	4	66	6.06	13	66	19.70	12.88
149. K, 12th Regt.	2	70	2.86	16	70	22.86	12.86
150. E, 14th Regt.	3	74	4.05	16	74	21.62	12.84
151. F, 3rd Bat. Engr.	4	82	4.88	17	82	20.73	12.80
152. 6th Co., C. A. C.	1	100	3.00	22	100	22.00	12.50
153. 4th Co., C. A. C.	2	92	2.17	21	92	22.83	12.50
154. M, 71st Regt.	1	57	1.75	13	57	22.81	12.28
155. 12th Co., C. A. C.	1	70	1.43	16	70	22.86	12.14
156. D, 12th Regt.	1	64	.56	14	64	21.88	11.72
157. 16th Co., C. A. C.	2	72	2.78	14	72	19.44	11.11
158. H, 14th Regt.	0	45	0	10	45	22.22	11.11
159. D, 69th Regt.	3	92	3.26	17	92	18.48	10.87
160. 3rd Co., C. A. C.	2	69	2.90	13	69	18.84	10.87
161. 17th Co., C. A. C.	2	60	3.33	11	60	18.33	10.83
162. A, 14th Regt.	1	65	1.54	13	65	20.00	10.77
163. L, 23rd Regt.	1	52	1.92	10	52	19.23	10.58
164. 7th Co., C. A. C.	0	82	0	17	82	20.73	10.36

COMPANY.	First string.	Possible number.	Per cent.	Actual marks-men.	Possible marks-men.	Per cent.	Figure of merit.
165. 26th Co., C. A. C.	1	49	2.04	9	49	18.37	10.20
166. 19th Co., C. A. C.	4	79	5.06	12	79	15.19	10.12
167. E, 47th Regt.	1	76	1.32	14	76	18.42	9.87
168. A, 47th Regt.	2	71	2.82	12	71	16.90	9.86
169. M, 14th Regt.	2	46	4.35	7	46	15.22	9.78
170. 5th Co., C. A. C.	0	69	0	13	69	18.84	9.42
171. 1st Co., C. A. C.	2	101	1.98	17	101	16.83	9.41
172. 31st Co., C. A. C.	2	96	2.08	16	96	16.67	9.37
173. 28th Co., C. A. C.	1	48	2.08	8	48	16.67	9.37
174. 18th Co., C. A. C.	1	75	1.33	13	75	17.33	9.33
175. 14th Co., C. A. C.	2	70	1.86	11	70	15.71	9.28
176. A, 12th Regt.	1	81	1.23	14	81	17.28	9.25
177. L, 14th Regt.	0	44	0	8	44	18.18	9.09
178. D, 14th Regt.	0	52	0	9	52	17.31	8.65
179. H, 69th Regt.	1	60	1.67	9	60	15.00	8.34
180. F, 71st Regt.	1	67	1.49	10	67	14.93	8.21
181. 2nd Co., C. A. C.	0	74	0	12	74	16.22	8.11
182. F, 47th Regt.	2	68	2.94	9	68	13.24	8.09
183. B, 74th Regt.	3	87	3.45	11	87	12.64	8.04
184. 22nd Co., C. A. C.	0	64	0	10	64	15.63	7.81
185. L, 69th Regt.	1	64	1.56	9	64	14.06	7.81
186. 32nd Co., C. A. C.	1	58	1.72	8	58	13.79	7.76
187. L, 12th Regt.	3	78	3.85	9	78	11.54	7.69
188. C, 14th Regt.	0	40	0	6	40	15.00	7.50
189. 13th Co., C. A. C.	0	56	0	8	56	14.29	7.14
190. 11th Co., C. A. C.	2	63	3.17	7	63	11.11	7.14
191. 9th Co., C. A. C.	3	64	4.69	6	64	9.38	7.03
192. F, 14th Regt.	1	43	2.32	5	43	11.63	6.97
193. G, 47th Regt.	0	102	0	14	102	13.73	6.86
194. C, 12th Regt.	2	67	2.99	7	67	10.45	6.72
195. I, 47th Regt.	2	85	2.35	9	85	10.59	6.47
196. 20th Co., C. A. C.	1	63	1.59	7	70	11.11	6.35
197. C, 47th Regt.	0	50	0	6	50	12.00	6.00
198. H, 12th Regt.	0	90	0	10	90	11.11	5.56
199. 10th Co., C. A. C.	0	73	0	8	73	10.96	5.48
200. 30th Co., C. A. C.	0	67	0	7	67	10.45	5.22
201. 27th Co., C. A. C.	1	48	2.08	4	48	8.33	5.21
202. K, 14th Regt.	0	49	0	5	49	10.20	5.10
203. 15th Co., C. A. C.	0	76	0	6	76	7.89	3.95
204. I, 12th Regt.	0	82	0	6	82	7.32	3.66
205. 33rd Co., C. A. C.	0	59	0	4	59	6.78	3.39
206. 29th Co., C. A. C.	0	60	0	4	60	6.67	3.33
207. D, 47th Regt.	0	73	0	4	73	5.48	2.74

FIGURE OF MERIT PRIZES.

The Figure of Merit Prizes authorized by M. L. 112 consist of the three prizes in headquarters, Division, National Guard and each Brigade, of the value of \$100.00, \$75.00 and \$50.00 respectively, to be awarded to the three companies in Headquarters, Division, National Guard and each Brigade attaining the highest general Figure of Merit. The competition for these prizes resulted as follows:

Headquarters, Division.....	{	Troop "D"	82.26
		Troop 3, Squadron "A"	70.77
		Troop 1, Squadron "A"	61.11

First Brigade.....	}	Co. "G," 7th Regiment.....	57.14
		Co. "B," 7th Regiment.....	54.32
		Co. "I," 7th Regiment.....	50.00
Second Brigade.....	}	Co. "A," 23rd Regiment....	35.85
		Co. "K," 47th Regiment....	31.14
		Co. "K," 23rd Regiment ...	31.00
Third Brigade.....	}	Co. "F," 2nd Regiment	84.67
		Co. "G," 1st Regiment.....	76.47
		Co. "E," 2nd Regiment....	69.79
Fourth Brigade.....	}	Co. "M," 3rd Regiment....	92.26
		Co. "E," 65th Regiment....	79.38
		Co. "H," 3rd Regiment ...	78.57

MATCHES.

There being no range available for team practice for the various organizations nearer than Sea Girt, and the expense and time involved rendering such practice impracticable, competition for the State, Headquarters, First and Second Brigade, Governor's Cup, Adjutant-General's and Major-General's Matches were omitted during the season of 1910.

The competition for the Third and Fourth Brigade Prizes, provided for in M. L. 112, were held at Rensselaerwyck and Rochester, N. Y., respectively, under the conditions prescribed in R. S. A. F., and resulted as follows:

THIRD BRIGADE PRIZE.

Held at Rensselaerwyck Rifle Range, October 1, 1910.
Prize, value \$100.00.
Won by the 2nd Regiment.

The scores are as follows:

	200 yds.	300 yds.	600 yds.	Total
2nd Regiment.....	478	499	514	1491
1st Regiment.....	490	501	482	1473
10th Regiment.....	454	470	437	1361

FOURTH BRIGADE PRIZE.

Held at Rochester, N. Y., August 3, 1910.
Prize, value \$100.00
Won by the team of the 74th Regiment.

The scores are as follows:

	200 yds.	300 yds.	600 yds.	Total.
74th Regiment.....	508	535	557	1600
3rd Regiment.....	492	517	543	1552

THE McALPIN AND DRYDEN TROPHY MATCHES.

Under authority granted by the Governor in Special Orders No. 154, A. G. O., 1910, Lieut-Col. Thurston, Chief Ordnance Officer, organized a team to represent the State of New York in the McAlpin Trophy Match,

for a trophy known as the McAlpin shield, and in the Dryden Trophy Match for a trophy known as the Dryden Trophy, both to be competed for annually, by teams of 8, representing the Army, Navy, Marine Corps and the National Guard of each State and the District of Columbia, ten shots each at 200, 600 and 1,000 yards.

The above matches were shot at Sea Girt, New Jersey, during the joint meeting of the New Jersey and New York State Rifle Associations, and were shot on September 7th and 9th, respectively.

Lieutenant-Colonel Thurston selected the following officers and enlisted men to represent the State in both matches:

Lieutenant-Colonel E. B. Bruch, Inspector General, Division, National Guard, N. Y., Captain.

Captain Arthur Kemp, 74th Regiment.

Captain A. E. Wells, 71st Regiment.

Captain G. W. Corwin, 71st Regiment.

Ordnance Sergeant G. W. Lent, 47th Regiment.

Ordnance Sergeant G. E. Bryant, 23rd Regiment.

Ordnance Sergeant Wm. F. Leushner, 74th Regiment.

Ordnance Sergeant G. H. Doyle, 74th Regiment.

Post Quartermaster Sergeant F. M. Dardingkiller, 2nd Brigade, with Lieut. Colonel B. B. McAlpin, Inspector General, Division,

1st Sergeant Leo F. Knust, 7th Regiment,

Captain R. E. Heum, 71st Regiment, as alternates, in the McAlpin Trophy Match, and

1st Lieut. W. B. Short, Ordnance Officer, 1st Battalion, F. A.

Corporal L. A. Griffith, Company "K," 71st Regiment, as alternates in the Dryden Trophy Match.

The team reported to Lieut. Colonel Bruch at Sea Girt, N. J., on Monday, September 5th, and remained until Saturday, September 10th, at which time the team was disbanded.

The team finished second in both matches, winning a cash prize of \$20.00 in the McAlpin Trophy Match and \$100.00 in the Dryden Trophy Match, which prizes were disbursed to the members of the team.

The McAlpin Trophy was shot for on Wednesday, September 7th, and resulted as follows:

District of Columbia	1073
New York	1052
U. S. Infantry	1025
U. S. Cavalry	1011
New Jersey	1003

The match for the Dryden Trophy was shot for on Friday, September 9th, and resulted as follows:

U. S. Infantry	1065
New York	1060
District of Columbia	1056
New Jersey	1052
U. S. Cavalry	1051

The strength of the teams and the scores were extremely close and the fact that the team finished second in both matches should be a source of congratulation.

NATIONAL TROPHY MATCH.

The Governor authorized in General Orders, No. 17, A. G. O. 1910, the formation of a team to represent the State in this match and Lieut. Colonel Thurston, Chief Ordnance Officer, was directed to organize and prepare a team to represent the State of New York in the National Match, for a trophy known as the National Trophy, authorized by an Act of Congress, to be competed for annually by teams of twelve, representing the Army, Navy, Marine Corps and the National Guard of each State and the District of Columbia. Authority to organize this team was granted the Commanding Officer, Division, National Guard, by the Governor of the State, in G. O. 17, A. G. O. 1910.

Owing to the fact that the range at Creedmoor was closed, no open competition for places on the team could be held, and Lieut. Colonel Thurston selected the members of the 1909 team and invited about 25 other officers and enlisted men who were personally known to him to be good shots, and these officers and enlisted men practiced at Sea Girt, New Jersey, during the months of June, July and August; at the end of which time he selected the Officials, team and alternates, mentioned below:

Captain.

Lieut. Colonel N. B. Thurston, Chief Ordnance Officer, Division, N. G., N. Y.

Adjutant and Range Officer.

Captain William H. Palmer, Ordnance Officer, 7th Regiment, Infantry.

Coach.

Lieut. Colonel E. B. Bruch, Inspector General, Division, N. G., N. Y.

Spotter.

Captain W. J. Underwood, Company "G," 7th Regiment, Infantry.

Surgeon.

Lieut. Colonel W. G. LeBoutillier, Chief Surgeon, Division, N. G., N. Y.

TEAM.

Principals.

Captain Arthur Kemp, Company "H," 74th Regiment, Infantry.
1st Lieut. D. J. Cadotte, Company "F," 74th Regiment, Infantry.
Ordnance Sergeant William F. Leushner, N. C. S., 74th Regiment, Infantry.

2nd Lieut. Talcott H. Clarke, Company "C," 74th Regiment, Infantry.
Ordnance Sergeant George H. Doyle, N. C. S., 71st Regiment, Infantry.
Post Q. M. Sergeant Frederick M. Dardingkiller, 2nd Brigade.
1st Lieut. William B. Short, 1st Battalion, Field Artillery.
Captain Robert E. Heun, Company "I," 71st Regiment, Infantry.
Ordnance Sergeant George H. Lent, N. C. S., 47th Regiment, Infantry.
Captain Arthur E. Wells, Company "H," 71st Regiment, Infantry.

Ordnance Sergeant George E. Bryant, N. C. S., 23rd Regiment, Infantry.

Captain George W. Corwin, Ordnance Officer, 71st Regiment, Infantry.

Alternates.

Ordnance Sergeant John Corrie, N. C. S., 22nd Regiment, Engineers.

Private Daniel C. Myer, Company "C," 7th Regiment, Infantry.

Lance Corporal James R. MacGuffie, Company "G," 7th Regiment, Infantry.

Such practice as could be obtained at Sea Girt, N. J., was held after a long railroad ride in the morning, to a majority of the team, and practice had to close at 4 o'clock p. m., to enable the team to return to New York.

The officials and team left New York for Camp Perry, Ohio, at 8:02 o'clock p. m., on Wednesday, August 17, 1910, over the New York Central and Hudson River Railroad in a private sleeping car, arriving at Cleveland, Ohio, at 11 a. m., August 18th, where the team changed to the private Pullman car Tennessee, in which car the team was quartered during its stay at Camp Perry, Ohio.

The team arrived at Camp Perry, Ohio, on Thursday, August 18, 1910, at 4 o'clock p. m. Lieut. Colonel Thurston reported the arrival of the team and presented his credentials to Lieut. Colonel R. K. Evans, 5th Infantry, U. S. A. Executive Officer of the Match.

The team obtained practice on the two preliminary days set aside for this purpose, Friday, August 19th, and Saturday, August 20th, and as a result of this practice Lieut. Colonel Thurston selected from the fifteen men composing the team and alternates, twelve officers and enlisted men, whose scores are appended hereto, to represent the State of New York in the competition.

The scores aggregate 3052 and the team finished tenth.

Forty-three teams competed, consisting of five service teams and representatives from thirty-eight States and Territories, embracing the entire country.

Scores of the New York State Team in the National Trophy Match, at Camp Perry, Ohio, August 22, 23, and 24, 1910.

NAME.	200 yds.	600 yds.	1000		Sk.	Aggre- gate.
	S. F.	S. F.	yds. S. F.	R. F.		
Capt. Arthur Kemp	39	49	46	47	80	261
Lieut. D. J. Cadotte	41	46	46	45	74	252
Ord. Sgt. W. F. Leushner	41	48	46	49	68	252
Lieut. T. H. Clarke	43	46	44	49	77	259
Ord. Sgt. George H. Doyle	42	46	40	44	92	264
Post Q. M. Sgt. F. M. Dard- ingkiller	43	49	29	43	92	256
Capt. George W. Corwin	41	48	41	38	77	245
Ord. Sgt. George W. Lent	46	49	36	44	64	239
Lieut. W. B. Short	45	47	40	41	82	255
Capt. R. E. Heun.....	41	48	34	44	91	258
Capt. A. E. Wells	40	46	39	43	90	258
Ord. Sgt. George E. Bryant ...	44	47	48	43	71	253
	506	569	489	530	958	3052

The first stage of the match was begun on Monday, August 22d, at 8 a. m., with 200 yards slow fire, followed by 600 yards slow fire at 1:30 p. m. On Tuesday, August 23d, slow fire at 1,000 yards at 8 a. m., followed by rapid fire at 200 yards. On Wednesday, August 24th, at 8 a. m., skirmishing commenced, and the match was completed at 11 o'clock a. m.

The team, with the exception of Captain Kemp, Lieut. Cadotte, Sergeants Leushner and Corrie, left for its home station on the private car Tennessee, at 5.30 p. m., on Wednesday, August 24th, arriving in Cleveland at 10 p. m., same date, where it was transferred to a private sleeping-car, and arrived in New York City without casualty or sickness at 4 p. m., on Thursday, August 25th, and was officially disbanded.

The conduct of the officers and enlisted men, as usual, reflected the highest credit on their organization and the State.

Forty-three teams competed in the National Match and finished in the order named with the scores set opposite to them.

1. U. S. Infantry.....	3,186	23. Arizona	2,916
2. U. S. Cavalry.....	3,115	24. West Virginia	2,905
3. Iowa	3,112	25. Maryland	2,896
4. U. S. Navy.....	3,111	26. Indiana	2,886
5. U. S. Naval Academy..	3,107	27. Connecticut	2,860
6. Massachusetts	3,105	28. Utah	2,825
7. Wisconsin	3,101	29. Georgia	2,822
8. Colorado	3,086	30. North Dakota	2,808
9. Michigan	3,066	31. Tennessee	2,784
10. New York.....	3,052	32. Delaware	2,761
11. Ohio	3,044	33. Virginia	2,727
12. Minnesota	3,021	34. Kentucky	2,723
13. District of Columbia ..	3,020	35. Mississippi	2,694
14. Texas	3,019	36. Florida	2,689
15. Oklahoma	2,994	37. South Carolina	2,623
16. Kansas	2,981	38. Louisiana	2,614
17. Illinois	2,980	39. Missouri	2,574
18. Pennsylvania	2,979	40. Arkansas	2,554
19. California	2,968	41. New Mexico	2,505
20. New Jersey	2,952	42. U. S. Marine Corps....	2,104
21. Alabama	2,947	43. Montana	1,776
22. Hawaii	2,945		

The subsistence furnished at Camp Perry was so unsatisfactory that arrangements were made with the 74th Regiment, N. G., N. Y., for the use of their mess and mess furniture, and the team subsisted itself.

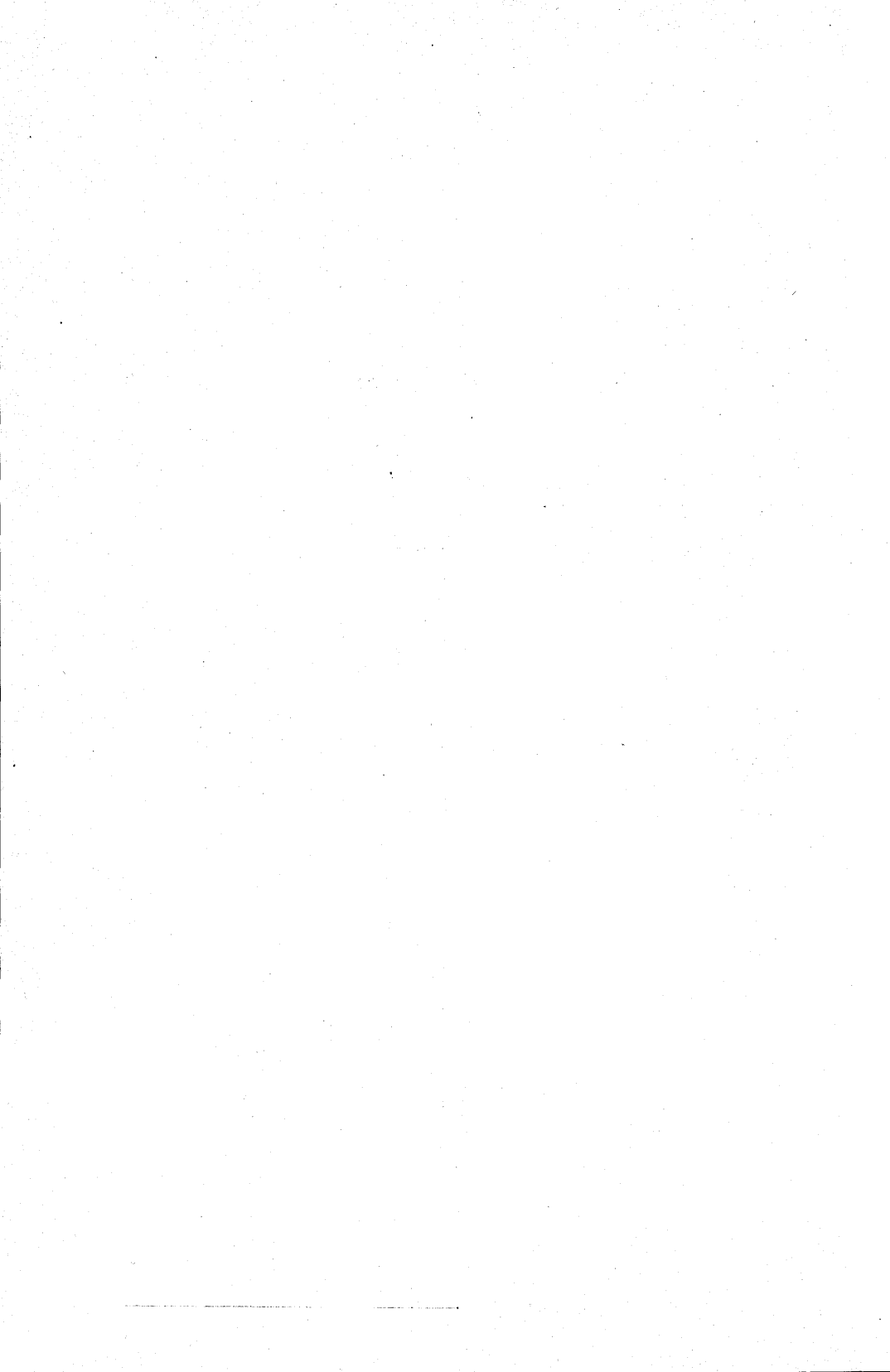
The thanks of the entire team are due to Captain Charles A. Kendall, 74th Regiment, N. G., N. Y., for the satisfactory manner in which the mess was conducted.

The arrangements for the comfort of the team were appreciated by all.

DIVISION, NATIONAL GUARD

Circulars

[659]



[Circular No. 5 is the last of the series for 1909.]

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK.

CAPITOL, ALBANY, February 15, 1910.

CIRCULAR,
No. 1. }

The average strength, attendance at drills, and percentage of attendance of the organizations and subdivisions of such, of the National Guard in the month of January 1910, are published for the information of all concerned.

Signal Corps

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
1st Company	3	88	83	94
2d Company	5	58	50	86
Total of signal corps (except officers serving with general officers)		146	133	91

Corps of Engineers

22d Regiment (provisional)				
field, staff and n. c. staff.....	4	4	4	100
band	4	21	21	100
1st Battalion:				
field, staff and n. c. staff.....	4	4	4	100
Company D	4	52	44	85
“ G	4	65	53	82
“ I	4	60	46	77
“ K	4	49	45	92
Total		230	192	83
2d Battalion:				
field, staff and n. c. staff.....	4	5	5	100
Company A	4	68	53	78
“ C	4	58	41	71
“ E	4	56	43	77
“ L	4	70	52	74
Total		257	194	75

662 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
3d Battalion:				
field, staff and n. c. staff.....	4	4	4	100
Company B	4	57	48	84
" H	4	82	74	90
" F	4	62	51	82
" M	4	62	47	76
Total		267	224	84
Total corps of engineers (except officers serving with general officers)		783	639	80
<i>Cavalry</i>				
Squadron "A" .....	..	256	245	96
field, staff and n. c. staff.....	4	4	3	75
Troop I	4	65	63	97
" II	4	64	62	97
" III	4	65	61	94
" IV	4	58	56	97
Troop "B"	4	72	68	94
Squadron "C" .....	..	222	215	97
field, staff and n. c. staff.....	4	4	4	100
Troop V	4	53	55	98
" VI	4	53	51	96
" VII	4	54	53	98
" VIII	4	55	52	95
Troop "D"	4	65	58	89
Total of cavalry.....	..	615	586	95
<i>Field Artillery</i>				
1st Battalion .....	..	335	312	93
field, staff and n. c. staff.....	4	5	5	100
1st Battery	4	105	99	94
2d Battery	4	111	103	93
3d Battery	5	114	105	92
6th Battery	4	96	89	93
Total field artillery.....	..	431	401	93
<i>Coast Artillery Corps</i>				
Chief of Coast Artillery and Assistants .....	..	6	6	100

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
13th Artillery District.....	..	1,041	843	81
field staff and n. c. staff.....	4	33	31	94
band.....	4	23	20	87
1st Company (A).....	4	102	90	88
2d " (B).....	4	76	73	96
3d " (C).....	4	78	62	79
4th " (D).....	4	96	77	80
5th " (E).....	4	90	69	77
6th " (F).....	4	100	83	83
7th " (G).....	4	76	67	88
8th " (H).....	4	92	65	71
9th " (I).....	4	64	49	77
10th " (K).....	4	75	53	71
11th " (L).....	4	64	47	73
12th " (M).....	4	72	57	79
<hr/>				
9th Artillery District.....	..	672	539	80
field, staff and n. c. staff.....	4	19	18.75	99
band.....	4	27	25	93
13th Company (A).....	4	46	40	87
14th " (B).....	4	63	50	79
15th " (C).....	4	70	46	66
16th " (D).....	4	76	63	83
17th " (E).....	4	47	37	79
18th " (F).....	4	80	71	89
19th " (G).....	4	72	53	74
20th " (H).....	4	63	48	76
21st " (I).....	4	53	42	79
22d " (K).....	4	56	45	80
23d " (L) (not organized)	..	..	..	..
24th " (M) (not organized)	..	..	..	..
<hr/>				
8th Artillery District.....	..	578	489	85
field, staff and n. c. staff.....	5	18	18	100
band.....	5	3	3	100
25th Company (A).....	5	77	63	82
26th " (B).....	5	44	35	80
27th " (C).....	5	49	43	88
28th " (D).....	5	46	34	74
29th " (E).....	5	81	70	86
30th " (F).....	5	50	38	76
31st " (G).....	5	91	81	89
32d " (H).....	5	68	61	90
33d " (I).....	5	51	43	84

Recapitulation

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Chief of Coast Artillery and Assistants	6	6	100
Total 13th Artillery District	1,041	843	81
Total 9th Artillery District	672	539	80
Total 8th Artillery District	578	489	85
<hr/>				
Total of coast artillery corps	2,297	1,877	82
<hr/> <hr/>				

Infantry

1st Regiment . . . . .	..	1,031	890	86
field, staff and n. c. staff	5	23	23	100
band . . . . .	..	..	..	..
Company A (28th Sep. Co.)	5	91	77	85
" B (44th ")	5	96	86	90
" C (39th ")	6	77	67	87
" D (40th ")	5	70	59	84
" E (10th ")	1	97	83	86
" F (33d ")	5	84	74	88
" G (3d ")	5	73	63	86
" H (20th ")	5	99	86	87
" I (24th ")	5	73	57	78
" K (27th ")	5	90	78	87
" L (5th ")	3	93	85	91
" M (31st ")	3	65	52	80
<hr/>				
2d Regiment . . . . .	..	963	861	89
field, staff and n. c. staff	4	21	21	100
band	4	28	28	100
Company A (6th Sep. Co.)	4	82	71	87
" B (7th ")	4	97	96	99
" C (12th ")	4	72	60	83
" D (21st ")	4	74	65	88
" E (36th ")	4	103	95	92
" F (37th ")	5	78	65	83
" G (19th ")	4	76	65	86
" H (46th ")	4	78	61	90
" I (9th ")	4	56	46	82
" K (18th ")	4	69	65	94
" L (22d ")	4	63	56	89
" M (32d ")	4	76	67	88
<hr/> <hr/>				

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
3d Regiment .....	..	986	910	92
field, staff and n. c. staff.....	4	23	23	100
band	5	24	24	100
Company A (8th Sep. Co.)....	4	82	78	95
" B (34th ")....	5	67	59	88
" C (41st ")....	7	78	72	92
" D (48th ")....	7	63	52	83
" E (42d ")....	3	93	86	92
" F (29th ")....	3	103	98	95
" G (50th ")....	4	77	72	94
" H (1st ")....	4	65	61	94
" I (43d ")....	6	64	52	81
" K (47th ")....	4	67	60	90
" L (30th ")....	5	90	87	97
" M (2d ")....	5	90	86	96
<hr/>				
7th Regiment .....	..	894	823	92
field, staff and n. c. staff.....	5	22	22	100
band	4	24	24	100
Company A	4	64	56	88
" B	5	75	68	91
" C	4	85	80	94
" D	5	77	68	88
" E	5	87	77	89
" F	4	80	73	91
" G	5	75	70	93
" H	5	81	75	93
" I	4	76	73	96
" K	4	102	95	93
" L	3	46	42	91
" M (not organized)...	..	..	..	..
<hr/>				
10th Regiment .....	..	832	668	80
field, staff and n. c. staff.....	4	23	23	100
band	4	17	13	76
Company A (26th Sep. Co.)....	3	40	30	75
" B (35th ")....	4	62	43	69
" C (38th ")....	3	47	24	51
" D (45th ")....	4	62	32	52
" E (16th ")....	4	47	37	79
" F (23d ")....	3	61	53	87
" G (4th ")....	4	76	67	88
" H (11th ")....	4	77	63	82
" I (17th ")....	4	94	83	88
" K (15th ")....	4	71	64	90
" L (49th ")....	4	72	58	81
" M (14th ")....	5	83	78	94

666 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
12th Regiment .....	..	739	613	83
field, staff and n. c. staff.....	4	19	18	95
band.....	4	25	23	92
Company A.....	3	79	62	78
" B.....	4	61	58	95
" C.....	4	54	45	83
" D.....	4	59	49	83
" E.....	4	64	51	80
" F.....	3	56	45	80
" G.....	3	66	56	85
" H.....	4	57	46	81
" I.....	3	61	53	87
" K.....	3	56	41	73
" L.....	4	82	66	80
" M (not organized)....	..	..	..	..
14th Regiment .....	..	679	583	86
field, staff and n. c. staff.....	4	22	21.75	99
band.....	4	3	3	100
Company A.....	4	67	65	97
" B.....	4	50	46	92
" C.....	4	43	34	79
" D.....	4	63	56	89
" E.....	4	77	70	91
" F.....	4	48	36	75
" G.....	4	62	52	84
" H.....	4	53	46	87
" I.....	4	43	34	79
" K.....	4	57	48	84
" L.....	4	50	39	78
" M.....	4	41	32	78
23d Regiment .....	..	718	553	77
field, staff and n. c. staff.....	5	17	16	94
band.....	5	13	12	92
Company A.....	5	59	45	76
" B.....	5	52	42	81
" C.....	5	53	45	85
" D.....	5	56	42	75
" E.....	5	56	41	73
" F.....	5	48	36	75
" G.....	4	97	70	72
" H.....	4	57	40	70
" I.....	5	44	31	70
" K.....	5	59	46	78
" L.....	5	54	45	83
" M.....	5	53	42	79

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
47th Regiment .....	..	660	503	76
field, staff and n. c. staff.....	4	22	20	91
band	4	4	4	100
Company A	4	78	63	81
" B	4	51	39	76
" C	4	54	36	67
" D	4	61	41	67
" E	4	73	51	70
" F	4	71	47	66
" G	4	102	80	78
" H (not organized) ..	..	..	..	..
" I	4	76	67	87
" K	4	68	55	81
" L (not organized) ..	..	..	..	..
" M (not organized) ..	..	..	..	..
66th Regiment .....	..	680	566	83
field, staff and n. c. staff.....	6	22	20	91
band	6	2	2	100
Company A	6	56	47	84
" B	6	68	55	81
" C	6	60	53	88
" D	6	73	58	79
" E (13th Sep. Co.) ..	6	75	68	91
" F	6	62	47	76
" G	6	80	68	85
" H	6	67	53	79
" I	6	53	48	91
" K	6	62	47	76
" L (not organized) ..	..	..	..	..
" M (not organized) ..	..	..	..	..
69th Regiment .....	..	768	645	84
field, staff and n. c. staff.....	5	18.4	17.6	91
band	5	15	15	100
Company A	5	73	59	81
" B	5	69	45	65
" C	5	58	51	88
" D	5	101	90	90
" E	5	99	88	88
" F	5	63	51	81
" G	5	56	47	84
" H	5	62	45	73
" I	5	94	86	91
" K	5	60	50	83
" L (not organized) ..	..	..	..	..
" M (not organized) ..	..	..	..	..

668 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
71st Regiment .....	..	855	724	85
field, staff and n. c. staff.....	4	23	22	96
band	4	11	11	100
Company A	4	61	50	82
" B	4	78	67	86
" C	4	79	60	76
" D	4	65	53	82
" E	4	69	60	87
" F	4	64	57	89
" G	4	69	61	88
" H	4	62	52	84
" I	4	63	56	89
" K	4	103	86	83
" L	4	48	40	83
" M	4	60	49	82
<hr/>				
74th Regiment .....	..	765	623	81
field, staff and n. c. staff.....	4	19	19	100
band	4	5	5	100
Company A	4	54	44	81
" B	4	53	41	77
" C	4	54	38	70
" D	4	67	57	85
" E	4	65	51	78
" F	4	65	57	88
" G	4	79	68	86
" H	4	59	51	86
" I	4	63	47	75
" K (25th Sep. Co.)...	4	58	48	83
" L	4	63	49	78
" M	4	61	48	79
<hr/>				
<i>Recapitulation.</i>				
1st Regiment .....	..	1,031	890	86
2d Regiment .....	..	963	861	89
3d Regiment .....	..	986	910	92
7th Regiment .....	..	894	823	92
10th Regiment .....	..	832	668	80
12th Regiment .....	..	739	613	83
14th Regiment .....	..	679	583	86
23d Regiment .....	..	718	553	77
47th Regiment .....	..	660	503	76
65th Regiment .....	..	680	566	83
69th Regiment .....	..	768	645	84
71st Regiment .....	..	855	724	85
74th Regiment .....	..	765	623	81
<hr/>				
Total of infantry.....	..	10,570	8,962	85

Quartermaster Department

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Officers (except those serving with general officers).....	..	..	..	..
Post quartermaster sergeants.....	3 to 6	47	46	98
Total Quartermaster's Dep't..	..	47	46	98

Subsistence Department

Officers (except those serving with general officers) .....	..	..	..	..
Post commissary sergeants.....	2 to 5	7	7	100
Total Subsistence Department	..	7	7	100

Medical Department

Officers (except those serving with general officers).....	3 to 6	111	105	95
Detachments of hospital corps serving with:				
1st Company Signal Corps.....	3	3	2	67
2d Company Signal Corps.....	5	..	..	..
Corps of engineers (22d Reg.)....	4	15	14	93
Squadron "A".....	4	6	6	100
Troop "B".....	4	1	1	100
Squadron "C".....	4	2	2	100
Troop "D".....	4	6	1	100
1st Battalion, field artillery.....	4	6	4	67
6th Battery.....	4	3	3	100
13th Artillery District.....	4	18	15	83
9th " ".....	4	26	22	85
8th " ".....	6	21	20	95
1st Infantry.....	4	25	24	96
2d ".....	5	29	27	93
3d ".....	4	22	20	91
7th ".....	4	5	5	100
10th ".....	4	23	20	87
12th ".....	4	18	14	78
14th ".....	4	20	17	85
23d ".....	5	17	14	82
47th ".....	3	20	15	75
65th ".....	6	22	20	21
69th ".....	4	24	21	88
71st ".....	4	16	13	81
74th ".....	4	27	23	85
Field hospital.....	5	49	42	86
Total Medical Department...	3 to 6	530	470	89

670 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Ordnance Department

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Officers (except those serving with general officers).....	3 to 6	28	27	96
Post ordnance sergeants.....	3 to 6	19	19	100
Total Ordnance Department..	..	47	46	98

Recapitulation of Staff Departments

Quartermaster Department.....	3 to 6	47	46	98
Subsistence Department.....	2 to 5	7	7	100
Medical Department	3 to 6	530	470	89
Ordnance Department.....	3 to 6	47	46	98
Total of Staff Departments.....	..	631	569	90
Total of Signal Corps.....	..	146	133	91
Total of Corps of Engineers.....	..	783	639	80
Total of Cavalry.....	..	615	586	95
Total of Field Artillery.....	..	431	401	93
Total of Coast Artillery Corps ..	..	2,297	1,877	82
Total of Infantry.....	..	10,570	8,962	85
Grand total .....	..	15,473	13,167	85

Add general officers and departmental and supernumerary officers serving with them as aids, etc.

60

Average strength of the division for January, 1910.....

15,533 officers and enlisted men.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,

Adjutant General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK.

CAPITOL, ALBANY, *March 15, 1910.*

CIRCULAR, }
No. 2. }

The average strength, attendance at drills, and percentage of attendance of the organizations and subdivisions of such, of the National Guard in the month of February, 1910, are published for the information of all concerned.

Signal Corps

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
1st Company.....	5	85	81	95
2d Company.....	4	58	48	83
<hr/>				
Total of signal corps (except officers serving with general officers).....		143	129	90

Corps of Engineers

22d Regiment (provisional):				
field, staff and n. c. staff.....	4	8	7.5	94
band.....	4	22	21	95
<hr/>				
1st Battalion:				
field, staff and n. c. staff...	4	4.25	3.5	82
Company D.....	4	51	45	88
“ G.....	4	66	57	86
“ I.....	4	58	48	83
“ K.....	4	49	44	90
<hr/>				
Total		228	198	87
<hr/>				
2d Battalion:				
field, staff and n. c. staff....	4	5	5	100
Company A.....	4	67	54	81
“ C.....	4	58	41	71
“ E.....	4	57	43	75
“ L.....	4	68	56	82
<hr/>				
Total		255	199	78
<hr/>				
3d Battalion:				
field, staff and n. c. staff	4	5	4.5	90
Company B.....	4	55	38	69
“ F.....	4	84	72	86
“ H.....	4	65	49	75
“ M.....	4	58	52	90
<hr/>				
Total		267	216	81
<hr/>				
Total corps of engineers (except officers serving with general officers).....		780	642	82

Cavalry.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Squadron "A".....	..	258	247	99
field, staff and n. c. staff.....	4	3.75	2.75	73
Troop I.....	4	64	61	95
" II.....	4	64	63	98
" III.....	4	65	62	95
" IV.....	4	61	58	95
Troop "B".....	4	71	68	96
Squadron "C".....	..	220	216	98
field, staff and n. c. staff.....	4	4	4	100
Troop V.....	4	55	54.5	99
" VI.....	4	54	53	98
" VII.....	4	53	53	100
" VIII.....	4	54	51	94
Troop "D".....	3	63	59	94
Total of cavalry.....	..	612	590	97

Field Artillery.

1st Battalion.....	..	333	317	95
field, staff and n. c. staff.....	4	5	5	100
1st Battery.....	4	110	104	95
2d Battery.....	4	106	100	94
3d Battery.....	6	112	108	96
6th Battery.....	3	96	89	93
Total field artillery.....	..	429	406	95

Coast Artillery Corps.

Chief of Coast Artillery and Assistants.....	..	6	6	100
13th Artillery District.....	..	1,022	917	90
field, staff and n. c. staff.....	4	33	33	100
band.....	4	22	20	91
1st Company (A).....	4	103	96	93
2d " (B).....	4	76	74	97
3d " (C).....	4	75	69	92
4th " (D).....	4	91	79	87
5th " (E).....	4	85	74	87

GENERAL ORDERS AND CIRCULARS.

673

ORGANIZATION.		No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
6th	" (F)	4	96	88	91
7th	" (G)	4	81	74	91
8th	" (H)	4	91	81	89
9th	" (I)	4	65	53	82
10th	" (K)	4	72	62	86
11th	" (L)	4	61	51	84
12th	" (M)	4	71	63	89
9th Artillery District.....		..	670	520	78
	field, staff and n. c. staff.....	4	17	17	100
	band	4	27	23	85
	13th Company (A)	4	46	38	83
	14th " (B)	4	65	47	72
	15th " (C)	3	72	51	71
	16th " (D)	4	76	60	79
	17th " (E)	4	49	33	67
	18th " (F)	4	78	70	90
	19th " (G)	3	69	49	71
	20th " (H)	4	63	50	79
	21st " (I).....	4	55	42	76
	22d " (K)	4	53	40	75
	23d " (L) not organized ..	..	..	..	..
	24th " (M) not organized ..	..	..	..	..
8th Artillery District .....		..	575	490	85
	field, staff and n. c. staff.....	3	21	19	90
	band	3	3	2.3	77
	25th Company (A)	3	71	56	79
	26th " (B)	3	46	40	87
	27th " (D)	3	48	38	79
	28th " (F)	3	50	41	82
	29th " (G)	3	80	69	86
	30th " (H)	3	46	41	89
	31st " (I)	3	90	81	90
	32d " (K)	3	67	59	88
	33d " —	3	53	44	83
<i>Recapitulation.</i>					
Chief of Coast Artillery and Assistants .....		..	6	6	100
Total 13th Artillery District....		..	1,022	917	90
Total 9th Artillery District....		..	670	520	78
Total 8th Artillery District....		..	575	490	85
Total of coast artillery corps....		..	<u>2,273</u>	<u>1,933</u>	<u>85</u>

Infantry.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
1st Regiment.....	..	1,029	853	87
field, staff and n. c. staff.....	4	22	22	100
band.....	..	..	..	..
Company A (28th Sep. Co.)...	6	94	82	87
" B (44th ")...	5	96	89	93
" C (39th ")...	5	76	69	91
" D (40th ")...	4	72	62	86
" E (10th ")...	3	97	88	91
" F (33d ")...	5	77	66	86
" G (3d ")...	3	73	59	81
" H (20th ")...	3	97	86	81
" I (24th ")...	4	75	62	83
" K (27th ")...	4	89	72	81
" L (5th ")...	3	96	88	92
" M (31st ")...	5	65	48	74
2d Regiment.....	..	948	855	90
field, staff and n. c. staff.....	4	20	20	100
band.....	4	27	25	93
Company A (6th Sep. Co.)...	3	79	71	90
" B (7th ")...	4	96	94	98
" C (12th ")...	5	72	63	88
" D (21st ")...	4	74	64	86
" E (36th ")...	4	103	93	90
" F (37th ")...	4	77	70	91
" G (19th ")...	4	75	60	80
" H (46th ")...	4	66	60	91
" I (9th ")...	4	55	46	84
" K (18th ")...	4	67	65	97
" L (22d ")...	4	63	57	90
" M (32d ")...	4	74	67	91
3d Regiment.....	..	970	364	89
field, staff and n. c. staff.....	4	23	23	100
band.....	4	24	24	100
Company A (8th Sep. Co.)...	4	79	76	96
" B (34th ")...	4	66	58	88
" C (41st ")...	3	78	68	87
" D (48th ")...	4	64	52	81
" E (42d ")...	3	89	74	83
" F (29th ")...	4	103	93	90
" G (50th ")...	4	73	66	90
" H (1st ")...	4	65	63	97
" I (43d ")...	3	57	48	84
" K (47th ")...	4	67	57	89
" L (30th ")...	3	92	82	85
" M (2d ")...	4	90	80	89

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent of attendance.
7th Regiment .....	..	880	800	91
field, staff and n. c. staff.....	5	22	21	95
band	5	24	24	100
Company A	4	63	53	84
" B	5	75	66	88
" C	5	84	78	93
" D	4	74	64	86
" E	4	86	76	88
" F	4	81	75	93
" G	4	73	67	92
" H	4	81	76	94
" I	5	76	70	92
" K	5	98	89	91
" L	5	43	41	95
" M (not organized) ..	..	..	..	..
10th Regiment .....	..	822	667	81
field, staff and n. c. staff.....	4	23	22.5	98
band	4	20	15	75
Company A (26th Sep. Co)...	5	40	30	75
" B (35th ")...	4	58	40	69
" C (38th ")...	5	45	24	53
" D (45th ")...	4	61	35	57
" E (16th ")...	4	46	38	83
" F (23d ")...	4	61	52	85
" G (4th ")...	4	75	65	87
" H (11th ")...	3	78	62	79
" I (17th ")...	3	93	82	88
" K (15th ")...	4	70	64	91
" L (49th ")...	4	70	60	86
" M (14th ")...	4	82	77	94
12th Regiment.....	..	720	570	79
field, staff and n. c. staff.....	4	22	22	100
band	4	22	22	100
Company A.....	4	75	52	69
" B.....	4	60	52	87
" C.....	4	51	43	84
" D.....	4	56	38	68
" E.....	4	67	50	75
" F.....	4	57	42	74
" G.....	3	68	57	84
" H.....	3	58	46	79
" I.....	3	60	48	80
" K.....	3	51	41	80
" L.....	4	73	57	78
" M (not organized) ...	..	..	..	..

676 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
14th Regiment.....	..	677	600	89
field, staff and n. c. staff.....	5	22	21.6	98
band	5	3	3	100
Company A.....	5	68	64	94
" B.....	5	52	50	96
" C.....	5	44	36	82
" D.....	5	62	56	90
" E.....	5	75	70	93
" F.....	5	49	40	82
" G.....	5	62	57	92
" H.....	5	50	48	96
" I.....	5	43	36	84
" K.....	5	56	49	88
" L.....	5	50	37	74
" M.....	5	41	32	78
<hr/>				
23d Regiment.....	..	716	576	80
field, staff and n. c. staff.....	4	18	17	94
band	4	11	10.5	95
Company A.....	4	60	50	83
" B.....	4	52	48	92
" C.....	4	53	43	81
" D.....	4	55	42	76
" E.....	4	57	41	72
" F.....	4	49	36	73
" G.....	4	94	78	83
" H.....	4	56	43	77
" I.....	4	44	32	73
" K.....	4	59	47	80
" L.....	4	55	45	82
" M.....	4	53	43	81
<hr/>				
47th Regiment.....	..	650	527	81
field, staff and n. c. staff.....	3	22	20	91
band	3	4	4	100
Company A.....	3	75	59	79
" B.....	3	48	40	83
" C.....	3	50	38	78
" D.....	3	65	52	80
" E.....	3	75	58	77
" F.....	3	71	47	66
" G.....	3	100	83	83
" H (not organized) . . .	..	..	..	..
" I.....	3	73	70	96
" K.....	3	67	56	84
" L (not organized) . . .	..	..	..	..
" M (not organized) . . .	..	..	..	..

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
65th Regiment.....	..	677	549	81
field, staff and n. c. staff.....	4	22	18	82
band.....	4	2	2	100
Company A.....	4	56	45	80
" B.....	4	67	53	79
" C.....	4	60	51	85
" D.....	4	70	55	79
" E (13th Sep. Co.).....	4	74	67	91
" F.....	4	61	44	72
" G.....	4	84	66	79
" H.....	4	71	57	80
" I.....	4	53	46	87
" K.....	4	57	45	79
" L (not organized).....	..	..	..	..
" M (not organized).....	..	..	..	..
69th Regiment.....	..	747	663	89
field, staff and n. c. staff.....	4	18	17	94
band.....	..	3	3	100
Company A.....	4	72	61	85
" B.....	4	64	55	86
" C.....	4	58	53	91
" D.....	4	101	93	92
" E.....	4	92	83	90
" F.....	4	65	57	88
" G.....	4	55	51	93
" H.....	4	56	46	82
" I.....	4	103	92	89
" K.....	4	60	52	87
" L (not organized).....	..	..	..	..
" M (not organized).....	..	..	..	..
71st Regiment.....	..	869	763	88
field, staff and n. c. staff.....	4	23	22	96
band.....	4	11	11	100
Company A.....	4	61	49	80
" B.....	4	77	69	90
" C.....	4	80	66	83
" D.....	4	62	53	85
" E.....	4	73	67	92
" F.....	4	67	60	90
" G.....	4	69	64	93
" H.....	4	62	55	89
" I.....	4	63	58	92
" K.....	4	103	91	88
" L.....	4	56	46	82
" M.....	4	62	52	84

678 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
74th Regiment.....	..	762	648	85
field, staff and n. c. staff.....	5	21	21	100
band.....	5	5	5	100
Company A.....	5	53	47	89
" B.....	5	51	40	78
" C.....	5	55	41	75
" D.....	5	67	60	90
" E.....	5	63	51	81
" F.....	5	64	58	91
" G.....	5	78	72	92
" H.....	5	59	51	86
" I.....	5	63	50	79
" K (25th Sep. Co.).....	5	61	51	84
" L.....	5	61	50	82
" M.....	5	61	51	84

Recapitulation

1st Regiment.....	..	1,029	893	87
2d Regiment.....	..	948	855	90
3d Regiment.....	..	970	864	89
7th Regiment.....	..	880	800	91
10th Regiment.....	..	822	667	81
12th Regiment.....	..	720	570	79
14th Regiment.....	..	677	600	89
23d Regiment.....	..	716	576	80
47th Regiment.....	..	650	527	81
65th Regiment.....	..	677	549	81
69th Regiment.....	..	747	663	89
71st Regiment.....	..	869	763	88
74th Regiment.....	..	762	648	85
 Total of infantry.....	..	 10,467	 8,975	 86

Quartermaster Department

Officers (except those serving with general officers).....	..	..	..	..
Post quartermaster sergeants....	2 to 5	46	45	98
 Total Quartermaster's Dept.....	..	 46	 45	 98

Subsistence Department

Officers (except those serving with general officers).....	..	..	..	..
Post commissary sergeants.....	2 to 5	7	7	100
 Total Subsistence Dept.....	2 to 5	 7	 7	 100

Medical Department

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Officers (except those serving with general officers)	2 to 5	109	101	93
Detachments of hospital corps serving with—				
1st Company, Signal Corps	5	4	3	75
2d Company, Signal Corps	4	..	..	..
Corps of engineers (22d Regiment)	4	15	13	87
Squadron "A"	4	8	8	100
Troop "B"	4	1	1	100
Squadron "C"	4	2	2	100
Troop "D"	3	2	2	100
1st Battalion, field artillery	4	6	5	83
6th Battery	3	3	3	100
13th Artillery District	3	18	17	94
9th " "	4	26	19	73
8th " "	3	23	23	100
1st Regiment, infantry	4	25	25	100
2d " "	4	30	26	87
3d " "	4	23	21	91
7th " "	5	5	5	100
10th " "	4	22	19	86
12th " "	4	17	14	82
14th " "	5	19	16	84
23d " "	4	17	12	71
47th " "	3	16	15	94
65th " "	4	22	21	95
69th " "	4	22	21	95
71st " "	4	16	12	75
74th " "	4	26	24	92
Field hospital	4	45	42	93
Total Medical Department		522	470	92

Ordnance Department

Officers (except those serving with general officers)	2 to 5	27	26	96
Post ordnance sergeants .....	..	18	17.8	99
Total Ordnance Department .....	..	45	44	98

Recapitulation of Staff Departments

Quartermaster Department .....	..	46	45	98
Subsistence Department .....	..	7	7	100
Medical Department .....	..	522	470	90
Ordnance Department .....	..	45	44	98

680 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Total of Staff Departments.....	..	620	566	91
Total of Signal Corps.....	..	143	129	90
Total of Corps of Engineers.....	..	780	642	82
Total of Cavalry.....	..	612	590	97
Total of Field Artillery.....	..	429	406	95
Total of Coast Artillery Corps..	..	2,273	1,933	85
Total of Infantry.....	..	10,467	8,975	86
Grand total.....	..	15,324	13,241	86
Add general officers and departmental and supernumerary officers serving with them as aids, etc.....	..	60	..	..

Average strength of the Division for February, 1910..... 15,384 officers and enlisted men.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,
Adjutant-General.

OFFICIAL:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,

CAPITOL, ALBANY, *April 15, 1910.*

CIRCULAR, }
No. 3. }

The average strength, attendance at drills, and percentage of attendance of the organizations and subdivisions of such, of the National Guard in the month of March, 1910, are published for the information of all concerned.

Signal Corps

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
1st Company.....	6	83	81	98
2d Company.....	4	60	55	92
Total of signal corps (except officers serving with general officers)		143	136	95

Corps of Engineers

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
22d Regiment (provisional):				
field, staff and n. c. staff.....	5	8	7	88
band	5	25	23	92
1st Battalion:				
field, staff and n. c. staff.....	5	5	4	80
Company D.....	5	53	49	92
" G.....	5	65	59	91
" I.....	5	56	52	93
" K.....	5	49	46	94
Total		228	210	92
2d Battalion:				
field, staff and n. c. staff.....	5	5	5	100
Company A.....	5	66	56	85
" C.....	5	54	48	89
" E.....	5	58	50	86
" L.....	5	64	58	91
Total		249	217	88
3d Battalion:				
field staff and n. c. staff.....	5	5	4.8	96
Company B.....	5	54	45	83
" F.....	5	82	75	91
" H.....	5	66	55	83
" M.....	5	54	48	89
.....		261	228	87
Total corps of engineers (except officers serving with general officers)		769	685	89

Cavalry

Squadron "A".....	..	262	251	96
field, staff and n. c. staff.....	5	3.8	3.4	89
Troop I.....	5	65	62	95
" II.....	5	65	62	95
" III.....	5	65	63	97
" IV.....	5	63	61	97
Troop "B"	6	71	67	94

682 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Squadron "C" .....	..	219	214	98
field, staff and n. c. staff.....	5	4	4	100
Troop V.....	5	55	54	98
" VI.....	5	53	52	98
" VII.....	5	53	52	98
" VIII.....	5	54	52	96
Troop "D"	6	67	65	97
Total of cavalry.....	..	619	597	96

Field Artillery

1st Battalion.....	..	335	315	94
field, staff and n. c. staff.....	5	5	5	100
1st Battery.....	5	109	101	93
2d Battery.....	5	106	99	93
3d Battery.....	5	115	110	96
6th Battery.....	4	99	94	95
Total field artillery.....	..	434	409	94

Coast Artillery Corps

Chief of Coast Artillery and Assistants .....	..	6	6	100
13th Artillery District.....	..	1,021	884	87
field, staff and n. c. staff.....	5	33	31	94
band	5	22	20	91
1st Company (A).....	5	102	93	91
2d " (B).....	5	78	76	97
3d " (C).....	5	73	65	89
4th " (D).....	5	90	73	81
5th " (E).....	5	83	72	87
6th " (F).....	5	97	88	91
7th " (G).....	5	83	73	88
8th " (H).....	5	89	72	81
9th " (I).....	5	64	53	83
10th " (K).....	5	74	60	81
11th " (L).....	5	60	47	78
12th " (M).....	5	73	61	84

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
9th Artillery District.....	..	667	593	89
field, staff and n. c. staff.....	5	16	16	100
band	5	26	26	100
13th Company (A)	5	49	45	92
14th " (B)	5	65	56	86
15th " (C)	5	68	63	93
16th " (D)	5	75	60	80
17th " (E)	5	49	37	76
18th " (F)	5	74	71	96
19th " (G)	5	76	70	92
20th " (H)	5	57	51	89
21st " (I)	5	55	49	89
22d " (K)	5	57	49	86
23d " (L) not org'z'd ..	..	..	..	..
24th " (M) not org'z'd ..	..	..	..	..
<hr/>				
8th Artillery District.....	..	552	492	89
field, staff and n. c. staff.....	5	20	20	100
band	5	3	3	100
25th Company (A)	5	63	58	92
26th " (B)	5	46	41	89
27th " (D)	5	45	38	84
28th " (F)	5	49	40	82
29th " (G)	5	73	59	81
30th " (H)	5	44	42	95
31st " (I)	5	89	82	92
32d " (K)	5	70	63	90
33d " —	5	50	46	92

Recapitulation

Chief of Coast Artillery and Assistants .....	..	6	6	100
Total 13th Artillery District....	..	1,021	884	87
Total 9th Artillery District.....	..	667	593	89
Total 8th Artillery District.....	..	552	492	89
<hr/>				
Total of coast art. corps.....	..	2,246	1,975	88

Infantry

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
1st Regiment.....	..	1,022	761	74
field, staff and n. c. staff.....	5	21	20.8	99
band.....	..	..	..	..
Company A (28th Sep. Co.)...	6	94	73	78
" B (44th ")...	6	96	78	81
" C (39th ")...	6	76	64	84
" D (40th ")...	6	73	63	86
" E (10th ")...	0	98	..	..
" F (33d ")...	5	74	63	85
" G (3d ")...	4	73	59	81
" H (20th ")...	5	98	83	85
" I (24th ")...	5	73	55	75
" K (27th ")...	5	84	69	82
" L (5th ")...	5	98	85	87
" M (31st ")...	4	64	48	75
2d Regiment.....	..	932	874	94
field, staff and n. c. staff.....	4	20	20	100
band.....	4	27.5	26.5	97
Company A (6th Sep. Co.)...	4	77	72	94
" B (7th ")...	5	95	92	97
" C (12th ")...	4	72	64	89
" D (21st ")...	4	74	70	95
" E (36th ")...	4	101	97	96
" F (37th ")...	4	76	72	95
" G (19th ")...	5	72	61	85
" H (46th ")...	4	64	58	91
" I (9th ")...	4	50	46	92
" K (18th ")...	4	67	67	100
" L (22d ")...	4	62	57	92
" M (32d ")...	4	75	71	95

Companies E, F, H, I, K and L, 2d Infantry, have been on duty in aid of the civil authorities of the Counties of Saratoga and Washington, at Corinth, (E, F, H and L), South Glens Falls, (K), and Fort Edward, (I), during March as follows:

Company E (36th Sep. Co.)				
Mar. 10-22 .....	..	99	97	98
Company F (37th Sep. Co.)				
Mar. 10-12 .....	..	76	70	92
Company H (46th Sep. Co.)				
Mar. 23-31 .....	..	63	60	95

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Company I (9th Sep. Co.)				
Mar. 11-31.....	..	49	40	94
Company K (18th Sep. Co.)				
Mar. 11-31 .....	..	66	66	100
Company L (22d Sep. Co.)				
Mar. 9-31 .....	..	61	58	95
<hr/>				
3d Regiment .....	..	973	868	89
field, staff and n. c. staff.....	5	23	23	100
band	5	24	24	100
Company A (8th. Sep. Co.)...	6	76	73	98
" B (34th ")...	5	68	60	88
" C (41st ")...	5	77	71	92
" D (48th ")...	5	66	56	85
" E (42d ")...	5	88	78	89
" F (29th ")...	4	103	89	86
" G (50th ")...	6	73	66	90
" H (1st ")...	6	66	63	95
" I (43d ")...	5	56	48	86
" K (47th ")...	5	69	60	87
" L (30th ")...	5	93	81	87
" M (2d ")...	5	91	76	84
<hr/>				
7th Regiment .....	..	896	808	90
field, staff and n. c. staff.....	6	22	20	91
band	6	25	25	100
Company A.....	6	63	54	86
" B.....	5	80	75	94
" C.....	5	84	80	95
" D.....	6	75	62	83
" E.....	5	83	73	88
" F.....	6	87	76	87
" G.....	6	73	65	89
" H.....	6	83	76	92
" I.....	4	78	73	94
" K.....	5	98	88	90
" L.....	5	45	41	91
" M (not organized) ..	..	..	..	..
<hr/>				
10th Regiment .....	..	810	702	87
field, staff and n. c. staff.....	4	23	21	91
band	5	26	23	88
Company A (26th Sep. Co.)...	4	41	32	78
" B (35th ")...	3	57	36	63
" C (38th ")...	4	38	27	71
" D (45th ")...	4	54	40	74

686 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Company E (16th ")...	6	45	38	84
" F (23d ")...	5	60	52	87
" G (4th ")...	4	74	66	89
" H (11th ")...	5	76	67	88
" I (17th ")...	4	96	91	95
" K (15th ")...	5	69	65	94
" L (49th ")...	5	65	60	92
" M (14th ")...	5	86	84	98
<hr/>				
12th Regiment .....	..	737	627	85
field, staff and n. c. staff.....	5	23	23	100
band	5	22	22	100
Company A.....	5	74	63	85
" B.....	5	58	57	98
" C.....	5	56	48	86
" D.....	5	55	43	78
" E.....	5	68	54	79
" F.....	5	57	48	84
" G.....	5	73	63	86
" H.....	5	62	51	82
" I.....	5	59	50	85
" K.....	5	55	47	85
" L.....	5	75	58	77
" M (not organized) ..	..	..	..	..
<hr/>				
14th Regiment.....	..	671	608	91
field, staff and n. c. staff.....	4	22	22	100
band	4	3	3	100
Company A.....	4	67	64	96
" B.....	4	51	50	98
" C.....	4	44	35	80
" D.....	4	62	57	92
" E.....	4	76	73	96
" F.....	4	48	42	88
" G.....	4	60	52	87
" H.....	4	47	46	98
" I.....	4	43	38	88
" K.....	4	56	49	88
" L.....	4	48	42	88
" M.....	4	44	35	80
<hr/>				
23d Regiment.....	..	709	607	86
field, staff and n. c. staff.....	4	21	19	90
band	4	7	6.75	96

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Company A.....	4	60	50	83
“ B.....	4	55	51	93
“ C.....	4	54	46	85
“ D.....	4	55	44	80
“ E.....	3	53	42	79
“ F.....	4	49	42	86
“ G.....	4	90	77	86
“ H.....	4	57	48	84
“ I.....	4	45	38	84
“ K.....	4	58	50	86
“ L.....	4	54	48	89
“ M.....	4	51	45	88
<hr/>				
47th Regiment .....	..	633	555	88
field, staff and n. c. staff.....	5	22	20	91
band	5	4	4	100
Company A.....	5	68	60	88
“ B.....	5	50	43	86
“ C.....	5	50	45	92
“ D.....	5	63	55	87
“ E.....	5	71	64	90
“ F.....	5	62	51	82
“ G.....	5	98	82	84
“ H (not organized) ..	..	..	..	..
“ I.....	5	78	73	94
“ K.....	5	67	58	87
“ L (not organized) ...	..	..	..	..
“ M (not organized) ...	..	..	..	..
<hr/>				
65th Regiment.....	..	671	562	84
field, staff and n. c. staff.....	4	22	20	91
band	4	2	2	100
Company A.....	4	60	48	80
“ B.....	4	63	53	84
“ C.....	4	59	51	86
“ D.....	4	71	53	75
“ E (13th Sep. Co.) ...	4	76	69	91
“ F.....	4	60	49	82
“ G.....	4	83	66	80
“ H.....	4	67	58	87
“ I.....	4	56	49	88
“ K.....	4	52	44	85
“ L (not organized) ...	..	..	..	..
“ M (not organized) ...	..	..	..	..
<hr/>				

688 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
69th Regiment.....	..	744	622	84
field, staff and n. c. staff.....	5	18	17	94
band.....	5	3	3	100
Company A.....	5	72	64	89
" B.....	5	59	44	75
" C.....	5	60	51	85
" D.....	5	100	92	92
" E.....	5	93	82	88
" F.....	5	68	51	75
" G.....	5	55	46	84
" H.....	5	52	41	79
" I.....	5	103	82	80
" K.....	5	61	49	80
" L (not organized) ..	..	..	..	..
" M (not organized) ..	..	..	..	..
<hr/>				
71st Regiment.....	..	873	730	84
field, staff and n. c. staff.....	5	23	22	96
band.....	5	10	10	100
Company A.....	5	62	43	69
" B.....	5	75	69	92
" C.....	5	83	65	78
" D.....	5	64	56	88
" E.....	5	76	65	86
" F.....	5	67	53	79
" G.....	5	68	62	91
" H.....	5	60	52	57
" I.....	5	65	57	88
" K.....	5	103	86	83
" L.....	5	56	42	75
" M.....	5	61	48	79
<hr/>				
74th Regiment.....	..	750	643	86
field, staff and n. c. staff.....	5	21.4	20.6	96
band.....	5	5	5	100
Company A.....	5	52	46	88
" B.....	5	54	45	83
" C.....	5	52	41	79
" D.....	5	65	56	86
" E.....	5	63	52	83
" F.....	5	63	58	92
" G.....	5	80	71	89
" H.....	5	58	51	88
" I.....	5	57	47	82
" K (25th Sep. Co.)...	5	58	45	78
" L.....	5	63	53	84
" M.....	5	59	52	88

Recapitulation.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
1st Regiment.....	..	1,022	761	74
2d Regiment.....	..	932	874	94
3d Regiment.....	..	973	868	89
7th Regiment	896	808	90
10th Regiment.....	..	810	702	87
12th Regiment.....	..	737	627	85
14th Regiment.....	..	671	608	91
23d Regiment.....	..	709	607	86
47th Regiment.....	..	633	555	88
65th Regiment.....	..	671	562	84
69th Regiment.....	..	744	622	84
71st Regiment.....	..	873	730	84
74th Regiment.....	..	750	643	86
Total of infantry.....	..	10,421	8,767	84

Quartermaster Department

Officers (except those serving with general officers).....	..	..	..	..
Post quartermaster sergeants....	4 to 6	46	45	98
Total Quartermaster's Dept.	..	46	45	98

Subsistence Department

Officers (except those serving with general officers).....	..	..	..	..
Post commissary sergeants.....	4 to 6	8	8	100
Total Subsistence Department.	..	8	8	100

Medical Department

Officers (except those serving with general officers).....	2 to 6	105	99	94
Detachments of hospital corps serving with —				
1st Company, Signal Corps.....	6	4	2.67	67
2d Company, Signal Corps.....	4	..	..	..
Corps of engineers (22d Regiment)	4	17	16	94
Squadron "A"	5	8	8	100
Troop "B"	6	1	0.83	83
Squadron "C"	5	2	2	100

690 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Troop " D "	6	2	2	100
1st Battalion, field artillery....	5	7	5	71
6th Battery.....	4	3	3	100
13th Artillery District.....	5	17	14	82
9th " "	5	26	22	85
8th " "	5	24	22	92
1st Regiment, infantry.....	2	25.5	25	98
2d " "	4	31	30	97
3d " "	5	24	22	92
7th " "	6	5	3.83	70
10th " "	4	20	18	97
12th " "	5	18	14	78
14th " "	4	17	16	94
23d " "	4	18	11	61
47th " "	5	16	15	94
65th " "	4	22	21	95
69th " "	5	22	19	86
71st " "	5	15	11	73
74th " "	5	26	23	88
Field hospital.....	5	46	44	96

Total Medical Department.....	522	469	88
-------------------------------	-----	-----	----

Ordnance Department

Officers (except those serving with general officers).....	4 to 6	27	27	100
Ordnance sergeants.....	4 to 6	18	18	100
Total Ordnance Department. ..	..	45	45	100

Recapitulation of Staff Departments

Quartermaster Department.....	..	46	45	98
Subsistence Department.....	..	8	8	100
Medical Department.....	..	522	469	88
Ordnance Department.....	..	45	45	100
Total of Staff Departments.....	..	621	567	91
Total of Signal Corps.....	..	143	136	95
Total of Corps of Engineers....	..	769	685	89
Total of Cavalry.....	..	619	597	96
Total of Field Artillery.....	..	434	409	94
Total of Coast Artillery Corps..	..	2,246	1,975	88
Total of Infantry.....	..	10,421	8,767	84
Grand total .....	..	15,253	13,136	86

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Add general officers and departmental and supernumerary officers serving with them as aids, etc.....	..	60	..	..

Average strength of the Division for March, 1910..... 15,313 officers and enlisted men.

By command of Major-General Roe,
 CHAUNCEY P. WILLIAMS,
Adjutant-General.

OFFICIAL:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, STATE OF NEW YORK.

CAPITOL, ALBANY, May 13, 1910.

CIRCULAR, }
 No. 4. }

The attention of commanding officers of regiments is drawn to the provisions of section 252 of the Military Law that by-laws shall provide that the treasurer of civil associations shall furnish proper security for the faithful performance of his duties; that the funds of the association shall be kept in a bank of deposit in a separate account in the name of the association; that checks upon such funds shall be signed both by the treasurer and the commanding officer of said association; that the books and accounts of the association shall at all times be open to the inspection of any official whose duty it is to inspect the organized militia of the State or of any member of the association, and that civil associations which have heretofore adopted by-laws not containing the above requirements, shall adopt revised by-laws containing them.

The recent annual inspections disclosed that a great many company associations have not complied with these requirements.

The law can be complied with by adopting amendments to existing by-laws. It is not necessary to adopt an entirely new set of by-laws.

By command of Major-General Roe,
 GEORGE ALBERT WINGATE,
Adjutant-General.

Official:

.....
Adjutant-General.

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK.

CAPITOL, ALBANY, December 15, 1910.

CIRCULAR, }
No. 5. }

The average strength, attendance at drills, and percentage of attendance of the organizations, and their subdivisions, of the National Guard for the month of November, 1910, are published for the information and guidance of all concerned.

Signal Corps

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
1st Company.....	3	84	79	94
2d Company.....	4	56	50	89
Total of signal corps (except officers serving with general officers).....		140	129	92

Corps of Engineers

22d Regiment (provisional):				
field, staff and n. c. s.....	4	8	8	100
band	4	26	22	85
1st Battalion:				
field, staff and n. c. s.....	4	5	5	100
Company D.....	4	53	36	68
" G.....	4	58	46	79
" I.....	4	54	47	87
" K.....	4	53	49	92
Total		223	183	82
2d Battalion:				
field, staff and n. c. s.....	4	5	5	100
Company A.....	4	65	53	82
" C.....	4	50	36	72
" E.....	4	57	45	79
" L.....	4	59	45	76
Total		236	184	78

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent of attendance.
3d Battalion:				
field, staff and n. c. s.	4	5	5	100
Company B.	4	47	32	68
“ F.	4	80	59	74
“ H.	4	47	35	74
“ M.	4	44	37	84
Total		243	168	73
Total corps of engineers (except officers serving with general officers).				
		736	565	77
<i>Cavalry</i>				
Squadron “A” .....	..	261	252	97
field, staff and n. c. s.	4	4	4	100
Troop I.	4	65	65	100
“ II.	4	65	61	94
“ III.	4	65	63	97
“ IV.	4	62	59	95
Troop “B”	4	66	60	91
Squadron “C” .....	..	214	206	66
field, staff and n. c. s.	4	4	4	100
Troop V.	4	57	55	96
“ VI.	4	51	50	98
“ VII.	4	51	48	94
“ VIII.	4	51	49	96
Troop “D”	4	63	57	90
Total of cavalry .....	..	604	575	95
<i>Field Artillery</i>				
1st Battalion .....	..	330	294	89
field, staff and n. c. s.	4	9	8	89
1st Battery	4	107	95	89
2d Battery	4	105	94	90
3d Battery	4	109	97	89
6th Battery	2	111	105	95
Total field artillery .....	..	441	399	90
<i>Coast Artillery Corps</i>				
Headquarters, Coast Artillery corps .....	..	5	5	100

694 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
13th Artillery District.....	..	986	814	83
field, staff and n. c. s.....	4	31	29	94
band	4	27	24	80
1st Company (A)	4	101	88	89
2d " (B)	4	69	63	91
3d " (C)	4	73	58	79
4th " (D)	4	83	68	82
5th " (E)	4	70	62	89
6th " (F)	4	99	88	89
7th " (G)	4	80	62	78
8th " (H)	4	85	58	68
9th " (I)	4	61	50	82
10th " (K)	4	75	62	83
11th " (L)	4	64	52	81
12th " (M)	4	68	50	74
<hr/>				
9th Artillery District.....	..	707	542	76
field, staff and n. c. s.....	4	19	18	95
band	4	26	24	92
13th Company (A)	3	54	44	81
14th " (B)	4	70	51	73
15th " (C)	3	77	62	81
16th " (D)	3	69	50	72
17th " (E)	4	59	38	64
18th " (F)	4	72	57	79
19th " (G)	3	74	62	84
20th " (H)	4	61	45	74
21st " (I)	4	62	46	74
22d " (K)	4	64	45	70
23d " (L) not organized	..	..	..	..
24th " (M) not organized	..	..	..	..
<hr/>				
5th Artillery District.....	..	561	403	72
field, staff and n. c. s.....	4	18	16	89
band	4	3	3	100
25th Company (A).....	4	67	49	73
26th " (B).....	4	45	33	73
27th " (D).....	3	56	40	71
28th " (F).....	4	49	34	69
29th " (G).....	3	52	29	56
30th " (H).....	4	68	49	72
31st " (I).....	3	94	69	73
32d " (K).....	4	51	38	75
33d " —	4	58	43	74

Recapitulation

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Headquarters, Coast Artillery Corps	5	5	100
Total 13th Artillery District....	...	986	814	83
Total 9th Artillery District....	..	707	542	76
Total 8th Artillery District....	..	561	403	72
Total of coast artillery corps.....		2,259	1,764	78

Infantry

1st Regiment.....	..	934	751	80
field, staff and n. c. s.	3	21	15	71
band .....	..	..	..	..
Company A (28th Sep. Co.)...	2	87	67	77
“ B (44th “)...	2	89	71	80
“ C (39th “)...	3	70	55	79
“ D (40th “)...	4	67	55	82
“ E (10th “)...	3	95	79	83
“ F (33d “)...	4	61	52	85
“ G (3d “)...	3	67	49	73
“ H (20th “)...	3	87	77	89
“ I (24th “)...	4	64	48	75
“ K (27th “)...	3	76	67	88
“ L (5th “)...	3	84	70	83
“ M (31st “)...	4	66	46	70
2d Regiment.....	..	893	803	90
field, staff and n. c. s.	2	22	22	100
band	3	28	28	100
Company A (6th Sep. Co.)...	2	77	65	84
“ B (7th “)...	4	92	88	96
“ C (12th “)...	2	68	58	85
“ D (21st “)...	2	72	65	90
“ E (36th “)...	3	102	94	92
“ F (37th “)...	3	72	64	89
“ G (19th “)...	3	67	60	90
“ H (46th “)...	2	63	55	87
“ I (9th “)...	5	48	41	85
“ K (18th “)...	2	62	56	90
“ L (22d “)...	3	50	45	90
“ M (32d “)...	3	70	62	89

696 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
3d Regiment.....	..	981	846	86
field, staff and n. c. s.	4	21	21	100
band.....	4	25	25	100
Company A (8th Sep. Co.) ...	3	72	63	88
" B (34th ")...	3	69	59	86
" C (41st ")...	4	74	66	89
" D (48th ")...	4	81	73	90
" E (42d ")...	2	89	82	92
" F (29th ")...	4	103	87	84
" G (50th ")...	3	62	55	89
" H (1st ")...	4	66	51	77
" I (43d' ")...	3	71	48	68
" K (47th ")...	4	60	51	85
" L (30th ")...	3	88	79	90
" M (2d ")...	4	100	86	86
<hr/>				
7th Regiment.....	..	884	801	90
field, staff and n. c. s.	4	22	22	100
band.....	4	26	26	100
Company A.....	3	61	53	87
" B.....	3	84	80	95
" C.....	4	76	68	89
" D.....	4	72	62	86
" E.....	3	81	69	75
" F.....	3	82	72	88
" G.....	4	73	66	90
" H.....	4	86	79	92
" I.....	3	77	72	94
" K.....	3	99	91	92
" L.....	4	45	41	91
" M (not organized)..	..	..	..	..
<hr/>				
10th Regiment.....	..	784	685	87
field, staff and n. c. s.	4	20	19	95
band.....	4	28	24	86
Company A (26th Sep. Co.) ...	3	28	23	82
" B (35th ")...	3	50	41	82
" C (38th ")...	3	56	53	95
" D (45th ")...	3	42	26	62
" E (16th ")...	4	50	44	88
" F (23d ")...	4	64	50	78
" G (4th ")...	3	57	52	91
" H (11th ")...	4	72	69	96
" I (17th ")...	3	97	87	90
" K (15th ")...	4	66	63	95
" L (49th ")...	4	70	59	84
" M (14th ")...	4	84	76	90

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
12th Regiment.....	..	830	588	71
field, staff and n. c. s.	3	23	22	96
band.....	2	8	8	100
Company A.....	3	82	51	62
" B.....	3	71	62	87
" C.....	2	61	41	67
" D.....	3	64	43	67
" E.....	3	67	46	69
" F.....	2	64	45	70
" G.....	3	68	45	66
" H.....	5	93	70	75
" I.....	3	79	55	70
" K.....	3	70	52	74
" L.....	2	80	48	60
" M (not organized) ..	..	..	..	..
<hr/>				
14th Regiment.....	..	636	536	84
field, staff and n. c. s.	5	21	20	95
band.....	5	3	3	100
Company A.....	5	66	62	94
" B.....	5	51	48	94
" C.....	5	41	34	83
" D.....	5	53	45	85
" E.....	5	73	61	84
" F.....	5	42	35	83
" G.....	5	52	42	81
" H.....	5	47	42	89
" I.....	5	45	37	82
" K.....	5	51	37	73
" L.....	5	45	33	73
" M.....	5	46	37	80
<hr/>				
23d Regiment.....	..	680	544	80
field, staff and n. c. s.	6	20	19	95
band.....	5	11	10	91
Company A.....	4	55	44	80
" B.....	3	65	55	85
" C.....	5	59	52	88
" D.....	4	47	33	70
" E.....	3	49	34	69
" F.....	3	43	31	72
" G.....	5	90	77	86
" H.....	4	51	35	67
" I.....	4	39	31	79
" K.....	4	52	42	81
" L.....	4	54	44	81
" M.....	3	45	37	82

698 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
47th Regiment.....	..	585	496	85
field, staff and n. c. s.	4	22	21	95
band	4	5	5	100
Company A.....	4	66	52	79
" B.....	4	88	66	75
" C.....	4	50	36	72
" D.....	4	75	57	76
" E.....	4	74	52	70
" F.....	4	63	37	59
" G.....	4	100	61	61
" H (not organized) ..	..	..	..	..
" I.....	4	84	67	80
" K.....	4	58	42	72
" L (not organized) ..	..	..	..	..
" M (not organized) ..	..	..	..	..
65th Regiment.....	..	646	494	76
field, staff and n. c. s.	3	22	19	86
band.....	3	2	2	100
Company A.....	3	50	36	72
" B.....	3	63	51	81
" C.....	3	56	40	71
" D.....	3	70	49	70
" E (13th Sep. Co.) ..	3	78	67	86
" F.....	3	52	35	67
" G.....	3	78	61	78
" H.....	3	62	46	74
" I.....	3	56	44	79
" K.....	3	57	44	77
" L (not organized) ..	..	..	..	..
" M (not organized) ..	..	..	..	..
69th Regiment.....	..	735	535	73
field, staff and n. c. s.	4	20	19	95
band.....	4	3	3	100
Company A.....	4	70	50	71
" B.....	4	56	41	73
" C.....	4	62	45	73
" D.....	4	96	55	57
" E.....	4	88	74	84
" F.....	4	64	50	78
" G.....	4	62	45	73
" H.....	4	60	40	67
" I.....	4	91	61	67
" K.....	4	63	52	83
" L (not organized) ..	..	..	..	..
" M (not organized) ..	..	..	..	..

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
71st Regiment.....	..	865	673	78
field, staff and n. c. s.	4	22	21	95
band.....	4	16	14	88
Company A.....	4	60	41	68
" B.....	3	71	66	93
" C.....	4	83	60	60
" D.....	3	62	51	82
" E.....	3	73	56	77
" F.....	3	63	46	73
" G.....	4	62	57	92
" H.....	3	66	55	83
" I.....	4	68	53	78
" K.....	3	103	71	68
" L.....	3	57	40	70
" M.....	3	59	42	71
74th Regiment.....	..	681	548	80
field, staff and n. c. s.	4	21	20	95
band.....	4	5	4.8	96
Company A.....	4	52	39	75
" B.....	4	48	39	81
" C.....	4	52	34	65
" D.....	4	63	51	81
" E.....	4	53	44	83
" F.....	4	57	47	82
" G.....	4	65	51	78
" H.....	4	55	48	87
" I.....	4	51	42	82
" K (25th Sep. Co.) ..	4	52	39	75
" L.....	4	54	44	81
" M.....	4	53	45	85
<i>Recapitulation.</i>				
1st Regiment.....	..	934	751	80
2d Regiment.....	..	893	803	90
3d Regiment.....	..	981	846	86
7th Regiment.....	..	884	801	90
10th Regiment.....	..	784	685	87
12th Regiment.....	..	830	588	71
14th Regiment.....	..	636	536	84
23d Regiment.....	..	680	544	80
47th Regiment.....	..	585	496	85
65th Regiment.....	..	646	494	76
69th Regiment.....	..	735	535	73
71st Regiment.....	..	865	673	78
74th Regiment.....	..	681	548	80
Total of infantry.....	..	10,134	8,300	82

700 ANNUAL REPORT OF THE ADJUTANT-GENERAL.

Quartermaster's Department

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Officers (except those serving with general officers).....	..	..	..	..
Post quartermaster sergeants.....	3 to 5	47	46	98
Total Quartermaster's Dept.	..	47	46	98

Subsistence Department

Officers (except those serving with general officers).....	..	..	..	..
Post commissary sergeants.....	2 to 5	6	6	100
Total Subsistence Dept..	..	6	6	100

Medical Department.

Officers (except those serving with general officers).....	2 to 5	105	97	92
Detachments of hospital corps serving with—				
1st Company, Signal Corps.....	..	..	..	..
2d Company, Signal Corps.....	..	..	..	..
Corps of engineers (22d Reg.)..	5	24	19	79
Squadron "A".....	4	7	7	100
Troop "B".....	..	..	..	..
Squadron "C".....	4	4	4	100
Troop "D".....	3	2	2	100
1st Battalion, field artillery....	4	9	9	100
6th Battery.....	1	3	2	67
13th Artillery District.....	4	17	10	59
9th " ".....	3	27	19	70
8th " ".....	4	30	27	90
1st Regiment, infantry.....	3	23	22.67	99
2d " ".....	3	26	22	85
3d " ".....	4	22	19	86
7th " ".....	4	7	4	57
10th " ".....	5	28	25	89
12th " ".....	2	24	21	88
14th " ".....	5	19	16	84
23d " ".....	4	19	13	68
47th " ".....	4	14	13	96
65th " ".....	3	20	16.5	80
69th " ".....	4	23	17	74
71st " ".....	4	14	11	79
74th " ".....	4	28	22	79
Field hospital.....	4	45	40	89
Total Medical Department.....		540	458	85

Ordnance Department

ORGANIZATION.	No. of reports received.	Average present and absent.	Average attendance.	Average per cent. of attendance.
Officers (except those serving with general officers).....	2 to 5	27	25	93
Post Ordnance sergeants.....	2 to 5	18	18.75	98
Total Ordnance Department	..	45	43	96

Recapitulation of Staff Departments

Quartermaster's Department....	..	47	46	98
Subsistence Department.....	..	6	6	100
Medical Department.....	..	540	458	85
Ordnance Department.....	..	45	43	96
Total of Staff Departments....	..	638	553	87
Total of Signal Corps.....	..	140	129	92
Total of Corps of Engineers....	..	736	565	77
Total of Cavalry.....	..	604	575	95
Total of Field Artillery.....	..	441	399	90
Total of Coast Artillery Corps..	..	2,259	1,764	78
Total of Infantry.....	..	10,134	8,300	82
Grand total.....	..	14,952	12,285	82
Add general officers and departmental and supernumerary officers serving with them as aids, etc .....	..	62	..	..

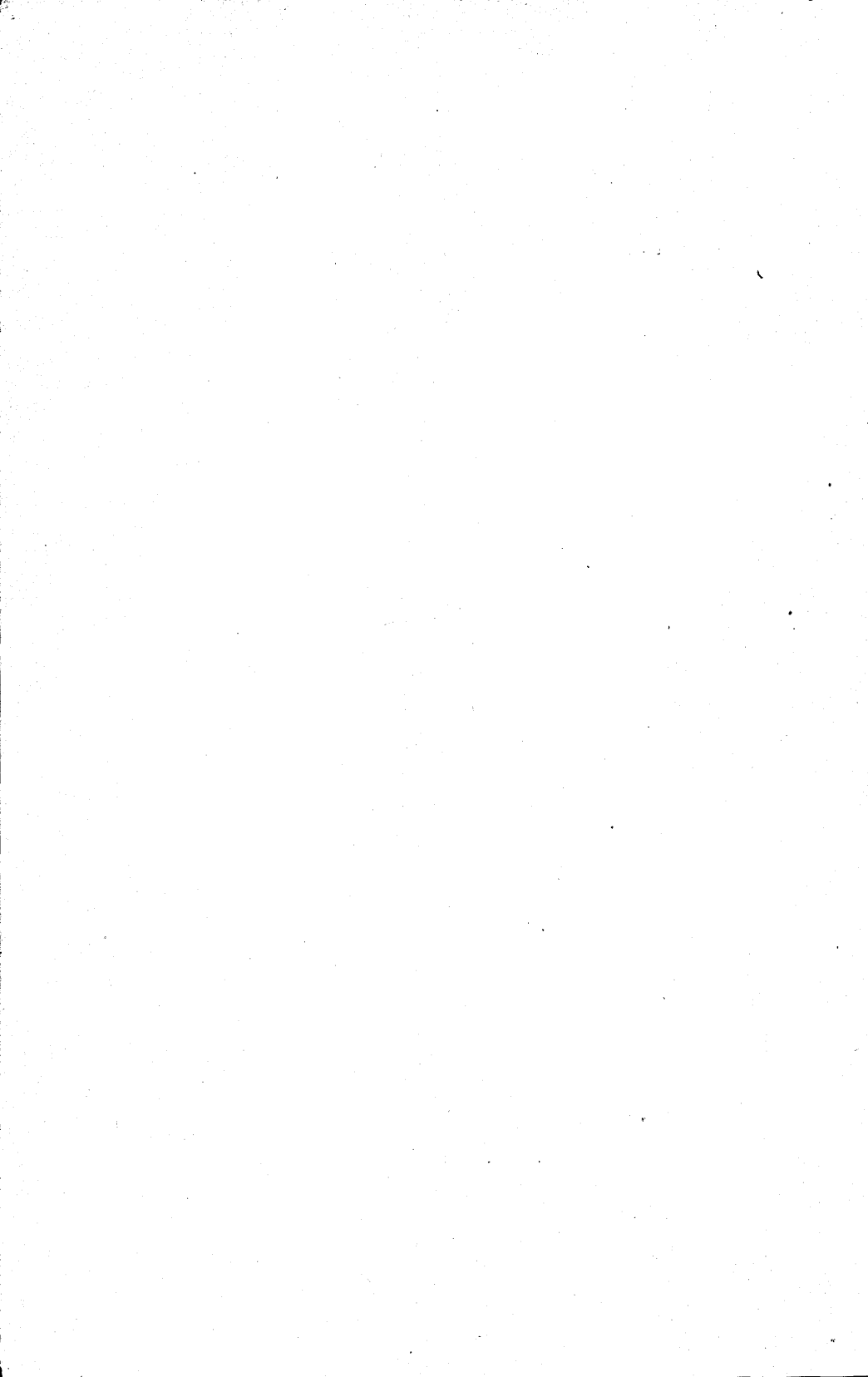
Average strength of the Division for November, 1910.:..... 15,014 officers and enlisted men.

By command of Major-General Roe,

CHAUNCEY P. WILLIAMS,
Lieutenant-Colonel, Adjutant-General.

OFFICIAL:

.....
Adjutant-General.

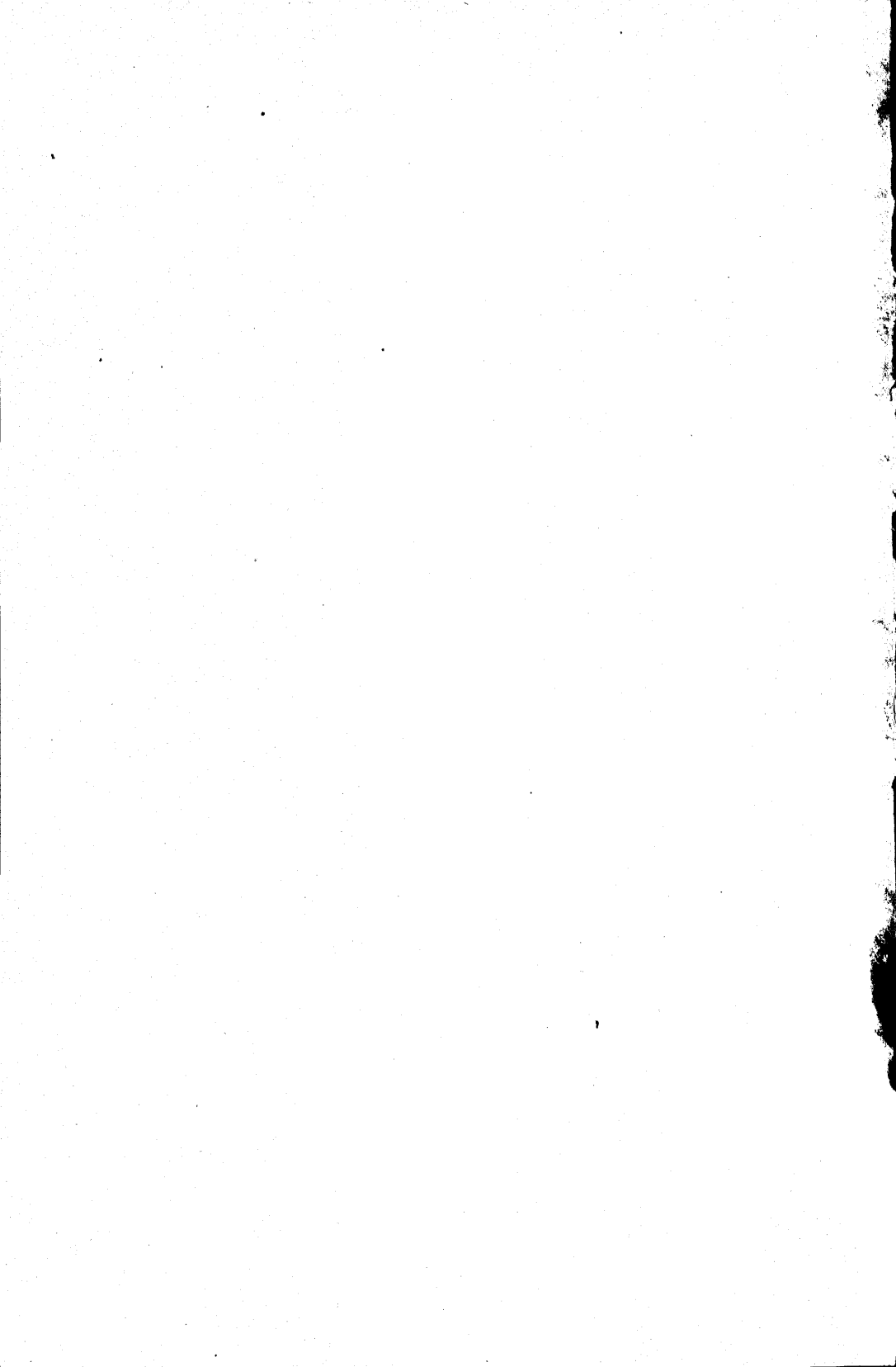


NAVAL MILITIA

—
General Orders

1910

[703]



APPENDIX II.

HEADQUARTERS, NAVAL MILITIA, NEW YORK.

U. S. S. GRANITE STATE,

FOOT 97TH STREET, NORTH RIVER, NEW YORK.

*July 12, 1910.*GENERAL ORDERS, }
No. 1. }

In accordance with the orders of the Commander in Chief, the following duty with the U. S. Atlantic Fleet is prescribed for details heretofore made from the First Battalion, Second Battalion and Third Battalion, Naval Militia, New York, beginning Saturday, July 23, 1910, at the port of New York, and ending not later than Sunday, July 31, 1910, except as regards details from the Third Battalion. Their tour of duty will end on their return to their respective stations at Rochester and Buffalo, N. Y.

(2) In compliance with instructions received from the Navy Department and from the Commander in Chief of the U. S. Atlantic Fleet the details from the Second Battalion will be embarked on the U. S. S. MINNESOTA, SOUTH CAROLINA and VIRGINIA, off Tompkinsville, Staten Island, during the morning of July 23, 1910. Said details of officers and men from the Second Battalion, together with their gear, will be embarked on a large tug having a probable capacity of about 150 men, which tug will be sent by the Commander in Chief of the U. S. Atlantic Fleet. The Commandant of the Navy Yard will furnish a similar tug for the transportation of the remainder of the details from the Second Battalion.

The Commanding Officer of the Second Battalion is authorized to communicate direct with the navy officers heretofore named in connection with said tug transportation, and also for instruction as to hours of assembling his details and reporting on board ship.

(3) In accordance with instructions received from the Navy Department and from the Commander in Chief of the U. S. Atlantic Fleet, the details from the First and Third Battalions will be embarked on the U. S. S. CONNECTICUT, MICHIGAN, NEBRASKA and RHODE ISLAND, which vessels will be anchored in the North River at a point nearly off 96th Street.

The transportation of the details and their gear from the First and Third Battalions will be effected by the launches and cutters of the First Battalion. The Commanding Officer of the First Battalion will communicate with the Commander in Chief of the U. S. Atlantic Fleet as to the hour that said officer desires the details from the First and Third Battalions embarked on board the battleships heretofore named. The disembarkations of all Naval Militia details will be as the Commander of the U. S. Atlantic Fleet may direct.

(4) The Commanding Officer of the Second Battalion is directed to immediately communicate with the Acting Chief of Staff, U. S. Atlantic

Fleet, and furnish said officer with a list of Naval Militia officers of his battalion, designating same by name, and a list of the enlisted men of his battalion, designating same by numbers, and dividing said officers and men into three groups, designating at the same time the ship that the Commanding Officer of the Second Battalion would prefer each of said groups to be assigned.

(5) The Commanding Officer of the First Battalion is directed to immediately communicate with the Acting Chief of Staff, U. S. Atlantic Fleet, and furnish said officer a list of Naval Militia officers of the First and Third Battalions, designating same by name, and a list of the enlisted men of the First and Third Battalions, designating same by numbers, and dividing said officers and men into four groups, designating at the same time the ship to which the Commanding Officer of the First Battalion prefers each of said groups to be assigned. In order to carry out the provisions of this paragraph, the Commanding Officer of the Third Battalion will immediately report by telegram, and if necessary by long distance telephone, to the Commanding Officer of the First Battalion. The Commanding Officer of the First Battalion will be furnished by the Chief of Staff of the Naval Militia a list of the commissioned officers of the Third Battalion who have been thus far reported as being available for this cruise.

(6) On the afternoon or evening of July 22, 1910, the divisions comprising the Third Battalion, together with all the officers of said battalion participating in this cruise, will leave their respective stations at Rochester and Buffalo, and proceed to New York, N. Y., leaving at such hour as may be needful to enable the Commanding Officer of the Third Battalion to report with his details to the Commanding Officer of the First Battalion at the U. S. S. GRANITE STATE, Foot of 97th Street, North River, New York, N. Y., at about 7 A. M., Saturday, July 23, 1910.

As has been heretofore directed, the Commanding Officer of the Third Battalion will arrange with the Commanding Officer of the First Battalion to furnish breakfasts to the officers and men of his command as soon as possible after their arrival on board the U. S. S. GRANITE STATE, and before leaving to be embarked on the battleships.

In accordance with the transportation arrangements heretofore made through the Adjutant-General's Office by the Commanding Officer of the Third Battalion, the latter officer will make such arrangements with the New York Central and Hudson River Railroad, as will lead to the detraining of his command on the river branch of said railroad adjacent to the Naval Militia dock at 97th Street, North River.

The Commanding Officer of the Third Battalion will immediately communicate with the Acting Chief of Staff, U. S. Atlantic Fleet, and will ascertain on what date and at what hour his command will be disembarked at New York, and will arrange his return train transportation accordingly; his officers, men and gear to be embarked at the head of the 97th Street pier heretofore named.

If needful, the Commanding Officer of the Third Battalion will arrange with the Commanding Officer of the First Battalion to have his officers and men given their dinner or supper, as the case may be, before they leave for their respective stations at Rochester and Buffalo, N. Y.

(7) Subject to the foregoing, the battalion Commanding Officers of the Naval Militia organizations heretofore named will order all details as regards dates and places of assembling of their respective commands, and are hereby authorized to communicate direct with the Acting Chief of Staff of the U. S. Atlantic Fleet, with reference to details not covered by this order, so far as concerns all duty aboard the fleet. Under the provisions of this paragraph the Commanding Officers of the First, Second and Third Battalions, will, so far as practicable, complete their watch, quarter and station bills for their details before embarkation, the Commanding Officer of the First Battalion including in his bills the stations of the Third Battalion.

(8) Officers will take on this cruise blue and white service dress with rain coats. They will require no other uniform.

Unless Battalion Commanders are otherwise notified by the Acting Chief of Staff of the U. S. Atlantic Fleet, officers need not provide bedding, other than sheets and blankets.

(9) The clothing and equipment to be carried by each petty officer and enlisted man for the cruise shall be as follows:

One blue mustering suit, including flat cap, overcoat and watch cap (Deck Department, additional, knife and lanyard);

Four white working suits;

One pair black leather shoes;

Two suits underwear;

Two pairs socks;

One hammock;

One hammock mattress, and cover if issued;

Two blankets, clothes bag or haversack, towel, soap, tooth brush.

Men of the engineer force two additional working rigs and one extra pair of shoes for duty in fire room.

(10) In compliance with instructions heretofore received from the Acting Chief of Staff of the U. S. Atlantic Fleet, no mess gear need be carried for use of officers or men of the Naval Militia. It will be provided by the ships.

(11) In compliance with the instructions of the Commander in Chief, U. S. Atlantic Fleet, no mess cooks will be taken on this cruise. As regards the matter of officers' servants, Battalion Commanders will communicate with the Captains of the ships to which their battalions are assigned, and will comply with the instructions received concerning same. It is believed that but few, if any, officers' servants will be required. Concerning this matter, Battalion Commanders will confer with the Acting Chief of Staff, U. S. Atlantic Fleet, as to whether they will communicate with the Commanding Officers of ships direct, or through said Chief of Staff.

(12) In compliance with the instructions of the Honorable, The Secretary of the Navy, the officers and chief petty officers of the Naval Militia will be subsisted in their respective messes and will settle their individual accounts with the treasurers of those messes, before leaving the ships. The enlisted men will be subsisted in the general mess. Settlement for the subsistence in the general mess will be accomplished as follows:

The Paymasters of the vessels having on board the Naval Militia will each submit a statement to the Department showing the number of rations furnished at 35 cents per day, and the Department will then make, through the Bureau of Supplies and Accounts, a request upon the State of New York, for reimbursement.

(13) The prescribed State pay-rolls, returns, etc., will be prepared as per routine, and will be forwarded to these Headquarters as soon as possible after termination of this cruise.

(14) The officers attached to the Staff of these Headquarters will perform such duties in connection with the cruise heretofore ordered as the Commanding Officer of the Naval Militia, New York, shall require.

(15) Regarding any details not covered by the provisions of this order, Battalion Commanders will communicate with the Chief of Staff, Naval Militia, New York.

By command of Commodore Miller,

ALFRED BROOKS FRY,

Commander, Chief of Staff, Naval Militia, N. Y.

HEADQUARTERS, NAVAL MILITIA, NEW YORK.

U. S. S. GRANITE STATE,

FOOT 97TH STREET, NORTH RIVER, NEW YORK.

July 19, 1910.

GENERAL ORDERS, }
No. 2. }

For the cruise duty enjoined by General Orders No. 1, dated July 12, 1910, from these Headquarters, pay will be allowed as follows:

(1) Sea pay will be allowed as per paragraph 1054, Navy Regulations, i. e., from the date of reporting on board ship to the date of leaving same inclusive.

(2) Shore pay will be allowed for all other duty connected with this cruise. This will apply to all duty, not sea duty, rendered by officers on the Staff of the Commodore and all other officers, in connection with cruise, and will also apply to the day's travel before embarkation of the details from the Third Battalion, Naval Militia, N. Y., and also to the day's travel performed by said details after embarkation.

(3) Under instructions dated July 18th, from the Adjutant-General, State New York, special attention is invited to the provisions of paragraph No. 3, page 7, General Orders No. 32, c. s., A. G. O. and attention of responsible officers is respectfully drawn thereto. A copy of General Orders No. 32, A. G. O. is herewith attached.

(4) The travel enjoined by General Orders No. 1, from these Headquarters and by this order, is for the Naval Militia Service.

Respectfully,

ALFRED BROOKS FRY,

Commander, Chief of Staff, Naval Militia, N. Y.

HEADQUARTERS, NAVAL MILITIA, NEW YORK.

U. S. S. GRANITE STATE,

FOOT 97TH STREET, NORTH RIVER, NEW YORK.

*September 12, 1910.*GENERAL ORDERS, }
No. 3. }

1. The Annual Inspection of the First Battalion, Naval Militia, N. Y., will take place on Saturday, October 1, 1910.

2. The inspection of the U. S. S. GRANITE STATE and the U. S. S. WASP will take place at 2:30 P. M. on that day.

3. Commander A. B. Fry, Lieut.-Commanders R. J. Beach, J. G. Agar and J. C. MacEvitt, will report on board the U. S. S. GRANITE STATE at 2 P. M., so also will the Signal Officer of the Second Battalion, Naval Militia, N. Y.

4. One Line Officer will report at Battalion Headquarters at same hour; one officer from Battalion Headquarters will report with authority to open Division rooms so that all property can be inspected; if practical the attendance of one officer from each Division, at 2:30 P. M. will be desirable.

5. The Battalion will be assembled for inspection as per paragraph 4, printed report; and the muster must be made in accordance with the State Regulations; Commanding Officer of the Battalion will then go to quarters.

6. The Commanding Officer of the Battalion will have written reports giving information required under "Table of General Efficiency" ready for transmission to the Inspecting Officer.

7. The inspection will include all items on the printed form "Report of Inspection." The information required by the report will be obtained by the Commodore and Staff as follows:

Commodore.....	Par. 2, 4, 6.
Chief of Staff.....	Par. 1, 3, 10, 11.
Engineer Officer.....	Par. 2, 1, m, n, 8-.
Paymaster.....	Par. 4, b, c, d, e, 12.
Surgeon.....	Par. 4, i.
Acting Signal Officer.....	Par. 5, 9, 4, f, 4, h.
Acting Gunnery Officer.....	Par. 5, g, 7.

8. The uniform will be service dress, blue, side-arms, white gloves, white cap, for inspection duty and dress uniform for muster.

By Command of Commodore Miller:

ALFRED BRQOKS FRY.

Commander, Chief of Staff, Naval Militia, N. Y.

HEADQUARTERS, NAVAL MILITIA, NEW YORK.
U. S. S. GRANITE STATE,

FOOT 97TH STREET, NORTH RIVER, NEW YORK.

September 22, 1910.

GENERAL ORDERS, }
No. 4. }

1. The Small Arms practice of the Headquarters, First Battalion and Second Battalion, Naval Militia, N. Y., will take place at Blauvelt, N. Y., on October 31, 1910.

2. Commanding officers of organizations practicing at Blauvelt will direct the marksmen of their respective commands to take their State decorations with them to the range, and the officer in charge is directed to change the numbers indicating qualifications, and in case of those qualifying for the first time, to issue then and there the marksman's decorations.

3. Commander Russell Raynor, Acting Gunnery Officer, is charged with the inspection and supervision of the practice of the Naval Militia, at Blauvelt. He will confer with Lieutenant-Colonel N. B. Thurston, Chief Ordnance Officer, N. G. N. Y., and make all necessary arrangements not covered by this order.

4. Arrangements will be made by Commanding Officers for messing their commands, as there are no facilities at Blauvelt for this purpose.

5. Score cards will be furnished to each command, upon which must be entered — prior to the arrival at the Range — the name and grade of each person who is to practice as a marksman; these cards must be taken to the Range by the Commanding Officers of divisions and there distributed to the scorers previous to the commencement of the practice. All score cards which are not certified by an officer will be rejected.

6. The Gunnery Officers, First and Second Battalions, will report to the Gunnery Officer, N. M., N. Y., in the Headquarters car on train furnishing him with the total number of enlisted men present in each command. He will thereupon assign an equitable number of targets to each Battalion.

7. Ball ammunition must not be taken from the firing points, chambers of rifles will be opened upon arrival on the range, and breech bolts will be kept open on the range, at all times, except when actually firing.

The rifle will be used during general practice, as a *single loader*, and the use of the magazine is prohibited.

The Commanding Officers of Battalions will be held to the strictest accountability for any neglect or violation of the provisions of this order or of the Regulations for Small Arms Firing, and for any breach of discipline on the part of the members of their respective commands while on the range or in going thereto or returning therefrom.

8. Immediately after the general practice of an organization a report of attendance on Forms 43 and 44, respectively, will be forwarded to these Headquarters by its Commanding Officer.

9. Arrangements have been made with the New York Central and Hudson River Railroad Company for a special train to leave Weehawken

Station, New Jersey, at 8:40 A. M., ferry to connect with said train will leave foot of West 42nd Street at 8:25 A. M., and from foot of Desbrosses Street, New York City, at 8:05 A. M., October 31, 1910.

Transportation certificates will be given to the conductor of the train by the Commanding Officer, for each direction traveled. Attention is called to the necessity of forwarding promptly the TRIPLICATE and QUADRUPLICATE certificates to these Headquarters as soon as the service is rendered.

Arrangements will be made by the Commanding Officers for the transportation of their organizations from the Armory to the Ferry and return, in accordance with Paragraph 35, R. S. A. F., and bills of transportation companies for this service must be rendered in triplicate, receipted in advance of payment, with the transportation certificates attached.

As ammunition will have to be taken to the Range by each organization, baggage car transportation will be provided on the train, but arrangements must be made with Mr. Walter S. Lamb, Superintendent of the Blauvelt Rifle Range, Blauvelt, N. Y., prior to the practice, for the transportation of ammunition from the train to the Range.

Attention is invited to G. O. 7, 1909, A. G. O.

By Command of Commodore Miller:

ALFRED BROOKS FRY,

Commander, Chief of Staff, Naval Militia, N. Y.

HEADQUARTERS, NAVAL MILITIA, NEW YORK.

U. S. S. GRANITE STATE,

FOOT 97TH STREET, NORTH RIVER, NEW YORK.

October 7, 1910.

GENERAL ORDERS, }

No. 5. }

1. The Annual Interdivisional Secondary Battery Match of the First, Second and Third Battalions, Naval Militia, N. Y., will be shot from the vessels assigned to the various commands.

2. The said match must be shot during the month of October, 1910, on such date as may be selected by the Commanding Officers.

3. Attention is called to General Orders No. 20, September 20, 1908.

By Command of the Commanding Officer, N. M., N. Y.

RUSSELL W. RAYNOR,

Commander, First Battalion, N. M., N. Y.,

Acting Gunnery Officer, N. M., N. Y.

HEADQUARTERS, NAVAL MILITIA, NEW YORK.
U. S. S. GRANITE STATE,

FOOT 97TH STREET, NORTH RIVER, NEW YORK.

October 11, 1910.

GENERAL ORDERS, }
No. 6. }

The Annual Muster and Inspection of the Third Battalion, Naval Militia, N. Y., will be held as follows:

1. The Annual Muster and Inspection of the Third Division, Third Battalion, N. M., N. Y., will take place on October 17, 1910, at the quarters of the Third Division, Buffalo, N. Y., at such hour as may be fixed by the Commanding Officer of the Third Battalion, N. M., N. Y.

2. The Annual Muster and Inspection of the Second and Signal Divisions, Third Battalion, N. M., N. Y., will take place on October 18, 1910, at the quarters at Rochester, N. Y., and at Charlotte, N. Y., at such hour as may be fixed by the Commanding Officer of the Third Battalion, N. M., N. Y.

3. Muster rolls must be prepared in accordance with State Regulations; and the inspection will include all items on the printed form "Report of Inspection."

4. Commodore Miller, commanding Naval Militia, N. Y., will hold the Inspection and Muster.

By Command of Commodore Miller:

ALFRED BROOKS FRY,

Commander, Chief of Staff, Naval Militia, N. Y.

HEADQUARTERS, NAVAL MILITIA, NEW YORK.

U. S. S. GRANITE STATE,

FOOT 97TH STREET, NORTH RIVER, NEW YORK.

December 5, 1910.

GENERAL ORDERS, }
No. 7. }

The particulars of the competition for Figure of Merit Prizes for the organizations of the Naval Militia, N. Y., for the season of 1910, are given hereunder:

	Marksmen, qualifying on first string.	Marksmen, qualifying in less than five strings.	Strength.	Figure of merit.
6th Division, 3d Battalion	16	19	19	92.22
2d Division, 3d Battalion	29	44	57	59.04
3d Division, 3d Battalion	23	44	72	46.53
5th Division, 2d Battalion	5	22	37	36.49
2d Division, 1st Battalion	6	35	65	31.54
1st Division, 2d Battalion	4	32	60	30.00
4th Division, 1st Battalion	5	29	59	28.81
2d Division, 2d Battalion	5	25	64	23.44
6th Division, 1st Battalion	1	11	26	23.08
3d Division, 1st Battalion	3	16	47	20.21
6th Division, 2d Battalion	3	4	20	17.50
5th Division, 1st Battalion	2	11	34	16.62
4th Division, 2d Battalion	1	11	45	13.33
1st Division, 1st Battalion	1	12	53	12.27
3d Division, 2d Battalion	1	11	53	11.32

2. The prizes are won by the first three divisions named, in their sequence; and Commanding Officers thereof will designate suitable prizes for purchase by Colonel Joseph G. Story, Assistant Adjutant-General, State Arsenal, 7th Avenue and 35th Street, New York City.

By Command of Commodore Miller:

RUSSELL RAYNOR,

Commander, First Battalion, Acting Gunnery Officer, N. M., N. Y.

HEADQUARTERS, NAVAL MILITIA, NEW YORK.
U. S. S. GRANITE STATE,

FOOT 97TH STREET, NORTH RIVER, NEW YORK.

December 16, 1910.

GENERAL ORDERS, }
No. 8. }

1. The Annual Inspection of the Second Battalion, Naval Militia, N. Y., will take place on December 22, 1910.

2. The inspection of the Second Battalion Armory will take place on same date and Commander Russell Raynor, Commander A. B. Fry, Lieut.-Commanders Robert J. Beach, J. G. Agar, G. B. Townsend and J. C. MacEvitt, will report at the Second Battalion Armory at 6:30 P. M., December 22, 1910.

3. One Line Officer will report at Battalion Headquarters at same hour; one officer from Battalion Headquarters will report with authority to open Division rooms so that all property can be inspected; if practical the attendance of one officer from each division, at 6:30 P. M. will be desirable.

4. The Battalion will be assembled for inspection as per paragraph 4, printed report; and the muster must be made in accordance with the State Regulations; Commanding Officer of the Battalion will then go to quarters.

5. The Commanding Officer of the Battalion will have written reports giving information required under "Table of General Efficiency" ready for transmission to the inspecting officer.

6. The inspection will include all items on the printed form "Report of Inspection." The information required by the report will be obtained by the Commodore and Staff as follows:

Commodore.....	Par. 2, 4, 6.
Chief of Staff.....	Par. 1, 3, 10, 11.
Engineer Officer.....	Par. 2-1, m, n, 8.
Paymaster.....	Par. 4-b, c, d, e, 12.
Surgeon.....	Par. 4-i.
Signal Officer.....	Par. 5, 9, 4-f, h.
Acting Gunnery Officer.....	Par. 5, 4-g, 7.

7. The uniform will be service dress, blue, side-arms, white gloves, blue cap.

By command of Commodore Miller,

ALFRED BROOKS FRY,

Commander, Chief of Staff, Naval Militia, N. Y.