H. R. 187.

JANUARY 8, 1821.

Read twice, and committed to a committee of the whole House to-morrow.

A BILL

To provide an uniform system of organization for the militia of the different States and Territories, and for instructing the officers of the same at the expense of the United States.

1 *Be it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*, That
3 the militia of the different states and territories shall be or-
4 ganized and officered, under the direction of the legislatures of
5 their respective states or territories, in the following manner,
6 viz:
7 Each state and territory shall be laid off into divisions, brigades,
8 regiments, battalions, and companies; each division shall con-
9 sist of not less than two, nor exceed three brigades; each bri-
10 gade shall consist of not less than four, nor exceed six regi-
11 ments; each regiment shall consist of two battalions; each bat-
12 talion shall consist of not less than four, nor exceed six com-
13 panies; and each company shall consist of not less than sixty
14 four, nor exceed one hundred and twenty eight men, including
15 officers, non-commissioned officers, and privates.

1 SEC. 2. *And be it further enacted*, That there shall be
2 appointed, in such manner as the legislatures of the respective
3 states or territories have directed, or may direct, to the com-
4 mand of each division, one major general with two aids-de-
5 camp, and one adjutant general, one inspector general, one
6 quartermaster general, two assistant inspectors general, one
7 deputy quartermaster general, and one topographical engineer.
8 To the command of each brigade, one brigadier general
9 with one aid-de-camp, one brigade major, and one brigade
10 quartermaster, or deputy assistant quartermaster general.
11 To the command of each regiment of infantry, one colo-
12 nel, one lieutenant colonel, and two majors, with one adjutant,
13 one quartermaster, one paymaster, one surgeon, and one sur-
14 geon's mate, one sergeant major, one quartermaster's sergeant,
15 one drummer, and one fifer, as principal musicians.
16 To the command of each company of infantry, one cap-
17 tain, one first lieutenant, one second lieutenant, one third lieu-
18 tenant, and one ensign, with five sergeants, four corporals.
19 one drummer, and one fifer.

1 SEC. 3. *And be it further enacted*, That to each regiment
2 of infantry there shall be one company of dragoons or caval-
3 ry, raised in such way as has been, or may be, directed by the
4 legislatures of the respective states or territories; and the of-
5 ficers of which shall be appointed or elected in such manner
6 as has been, or may be, directed, by the legislatures aforesaid.

7 Each company shall consist of not less than thirty-four, nor
8 exceeding ninety six men, including officers, non-commission-
9 ed officers, and privates; not less than four, nor exceeding six
10 companies shall form a battalion, and two battalions, one re-
11 giment of dragoons or cavalry.

12 To the command of each company of dragoons or caval-
13 ry, there shall be appointed one captain, one first lieutenant.
14 one second lieutenant, and one third lieutenant, with five ser-
15 geants, eight corporals, two musicians, one sword master, one
16 riding master, one farrier, one sadler, and one blacksmith.

17 To the command of each regiment of dragoons or caval-
18 ry, there shall be appointed, in such manner as has been, or
19 may be, directed by the legislatures aforesaid, one colonel, one
20 lieutenant colonel, and two majors, with one adjutant, one
21 quartermaster, one surgeon's mate, one sergeant major, one
22 quartermaster sergeant, one principal musician, one principal
23 farrier, and one riding master.

24 There shall be formed out of the militia enrolled for each
25 battalion of infantry, one company of grenadiers, light infan-
26 try, or riflemen, by voluntary enlistment, or in such manner
27 as has been, or may be, provided by the legislatures of the
28 states or territories aforesaid; which companies shall be com-
29 manded by officers of the same grade as other companies of
30 infantry, contain the same number of men and constitute a
31 part of the battalion and regiment in which they are raised.

32 There shall be to each division at least one company of
33 artillery, to be formed within the same by voluntary enlist-
34 ment; and the officers elected or appointed in such manner as
35 may be directed by the legislatures of the respective states or
36 territories, as the case may be, each company of artillery shall
37 consist of not less than sixty-four, nor exceeding one hundred
38 and twenty-eight men, including officers, non-commissioned
39 officers, and privates.

40 There shall be appointed to the command of each com-
41 pany of artillery, one captain, one first lieutenant, two second
42 lieutenants, and one third lieutenant, with one quartermaster
43 sergeant, five sergeants, eight corporals, and four musicians;
44 eight companies shall constitute a battalion of artillery, to the
45 command of which there shall be appointed one lieutenant
46 colonel and one major, with two adjutants, and two quarter-
47 masters, in such manner as may be provided by the respec-
48 tive legislatures aforesaid.

1 Sec. 4. *And be it further enacted*, That once in every year
2 all the commissioned officers of the respective brigades, in-
3 cluding the aids to the brigadier general, brigade major, adju-
4 tants, quartermasters, sergeant majors, and quartermaster's
5 sergeants of regiments, and one sergeant from each captain's
6 company, who shall be ordered by the captain, or command-
7 ing officer of the company, shall be assembled together with-
8 in such brigade at such time and place as may be provided by

9 the legislatures of the respective states or territories, for the
10 purpose of being trained and disciplined, and shall be kept to-
11 gether and encamped for a period not exceeding
12 days; during which time they shall be regularly and assiduous-
13 ly trained, according to the discipline prescribed for the army
14 and militia of the United States, under the command of the
15 brigadier general or officer commanding the brigade.

1 SEC. 5. *And be it further enacted*, That it shall be the du-
2 ty of the brigade major to attend the training of the officers
3 aforesaid, under the command of the brigadier general, during
4 the time of their annual meeting, to inspect their arms and
5 accoutrements, superintend the exercise and manœuvres of the
6 officers at their training, and introduce the military discipline
7 before described throughout the brigade, agreeably to the laws
8 of the state and of the United States, and execute such orders
9 as he shall from time to time receive, to keep a correct roll of
10 the officer's names, whose duty it is to attend and note down
11 all delinquents, and make correct return to the adjutant gen-
12 eral of the state of the militia, within such time as may be
13 prescribed by the legislature thereof; also, to make a return
14 to the adjutant general of the state, once in every year, of the
15 strength and condition of the whole brigade of militia to which
16 he belongs, reporting therein the actual situation of the arms
17 and accoutrements of the several corps, and every other thing
18 which, in his judgment, may relate to the better regulation and

general advancement of military discipline: and it shall be the duty of the adjutant general of the state to make a like return of all the militia of the state to the commander in chief or governor of the said state, and a duplicate of the same to the War Department of the United States.

SEC. 6. *And be it further enacted*, That, for the purpose of attending such training, a number of musicians may be detailed, not exceeding four, by order of the commanding officer of the brigade, from the musicians of the same.

SEC. 7. *And be it further enacted*, That the officers, non-commissioned officers, and musicians, as aforesaid assembled, shall be entitled to receive, for and during the term of service aforesaid, the same pay to which they would be entitled if called into the military service of the United States. And each officer, non-commissioned officer, and musician, shall be entitled to receive one ration per day, but no other emoluments whatever; which ration it shall be the duty of the brigade quartermaster to contract for, or supply, at the expense and on the account of the United States; and in contracting for or furnishing the same, and making returns thereof, shall be governed by such rules and regulations as may be adopted by the Secretary of War, and sanctioned by the President of the United States.

SEC. 8. *And be it further enacted*, That the Secretary of War shall, as soon as the same may be practicable, (after

3 receiving notice from the governor of any state or territory
4 that the legislature thereof shall have made provision for car-
5 rying into effect the object of this act,) provide for each bri-
6 gade the tents and camp equipage necessary for the purpose
7 aforesaid, to be furnished under requisitions from the execu-
8 tives of the respective states and territories, which shall have
9 been previously made to the War Department, and the sum
10 of thousand dollars be, and the same
11 is hereby, appropriated out of any moneys in the Treasury,
12 not otherwise appropriated, for the purpose of carrying into
13 effect the provisions of this act.

1 SEC. 9. *And be it further enacted*, That the tents, camp
2 equipage, &c. that may be delivered under the foregoing pro-
3 visions, shall be receipted for by the brigade quartermasters,
4 or such officers as may be designated for that purpose by the
5 executives of the respective states and territories; and an ac-
6 count of the amount delivered to each state and territo-
7 ry shall be kept in the Department of War; also, by the adju-
8 tant-general of each state and territory, under the direction
9 of the executive thereof.

1 SEC. 10. *And be it further enacted*, That the officers,
2 non-commissioned officers, and musicians, when called to-
3 gether, and encamped under the preceding provisions, shall
4 be subject to the rules and articles of war, in the same manner
5 as though they were in the actual service of the United States.

6 and to trials by courts martial, composed of militia officers
7 only, and shall act in such capacity as may be assigned to
8 them respectively by the commanding officer present: *Pro-*
9 *vided*, That whenever any officer, non-commissioned officer,
10 or musician, shall fail to attend such encampment, or, having
11 attended, shall desert, or absent himself, without proper au-
12 thority, and contrary to the orders of the commanding officer,
13 he shall be subject to such penalty as a court martial may
14 inflict, not exceeding , nor less than dollars:
15 *Provided, also*, That no substitutes shall be received to dis-
16 charge the duties required by the provisions for encamping
17 and disciplining the militia under this act.

1 SEC. 11. *And be it further enacted*, That it shall be the
2 duty of the President of the United States to cause copies of
3 the system of discipline, and the rules which prescribe the
4 duties of officers of the army and militia of the United States,
5 to be distributed to each governor of a state or territory, also,
6 to each general and field officer, and brigade inspector of
7 the militia, who shall pursue the same in training, under the
8 authority of this act.

1 SEC. 12. *And be it further enacted*, That it shall be the
2 duty of the adjutant general of each state and territory to fur-
3 nish forms of the various returns that may be required; to
4 receive reports of the strength of the militia and inspection
5 returns; to distribute all orders from the commander in chief

6 of the state or territory, to the officers commanding the dif-
7 ferent corps; and obey all orders from the commander in
8 chief of the state or territory, relative to the discipline or
9 training the militia.

1 SEC. 13. *And be it further enacted*, That whenever the Unit-
2 ed States shall be invaded, or in imminent danger of invasion,
3 from any foreign nation or Indian tribe, (in the opinion of
4 the President of the United States,) it shall be his duty to
5 call forth such numbers of the militia, most convenient to
6 the place of danger or scene of action, as he may judge neces-
7 sary to repel such invasion, under the command of their own
8 officers, or those appointed by the authority of their respec-
9 tive states or territories.