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CHAP. 71.—An Act To provide for raising the volunteer forces of the United States in time of actual or threatened war.

April 25, 1914.
[H. R. 7138.]

[Public, No. 90.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the land forces of the United States shall consist of the Regular Army, the organized land militia while in the service of the United States, and such volunteer forces as Congress may authorize.

Army.
Composition of land forces.

SEC. 2. That the volunteer forces shall be raised, organized, and maintained, as in this Act provided, only during the existence of war, or while war is imminent, and only after Congress shall have authorized the President to raise such a force: *Provided*, That the term of enlistment in the volunteer forces shall be the same as that for the Regular Army, exclusive of reserve periods, and all officers and enlisted men composing such volunteer forces shall be mustered out of the service of the United States as soon as practicable after the President shall have issued a proclamation announcing the termination of the war or the passing of the imminence thereof.

Volunteer forces.
Authority for, in time of war.

Proviso.
Enlistment period.

Termination.

SEC. 3. That when volunteer forces are to be raised the President shall issue his proclamation, stating the number of men desired for each arm, corps, and department, within such limits as may be fixed by law, and he shall prescribe such rules and regulations, not inconsistent with the terms of this Act, as may be necessary for the purpose of examining, organizing, and receiving into the service the men called for: *Provided*, That the power to organize volunteer forces shall include the power to provide, within such limits as are or may be prescribed by law, the officers and enlisted men of all grades and classes, and the trained nurses, male and female, that may be necessary in the various arms, corps, and departments: *Provided further*, That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery comprised in any battalion or regiment of the organized land militia of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer and be accepted for service in the Volunteer Army as such company, troop, battery, battalion or regiment, such organization may be received into the volunteer forces in advance of other organizations of the same arm or class from the same State, Territory, or District, and the officers in the organized land militia service with such organization may then, within the limits prescribed by law, be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organization or elsewhere as the President may direct: *Provided further*, That all enlisted men received into the service in the volunteer forces shall, as far as practicable, be taken from the several States and Territories and the District of Columbia in proportion to the respective populations thereof: *Provided further*, That when the raising of a volunteer force shall have been authorized by Congress, and after the organized land militia of any arm or class shall have been called into the military service of the United States, volunteers of that particular arm or class may be raised and accepted into said service in accordance with the terms of this Act regardless of the extent to which other arms or classes of said militia shall have been called into said service.

Proclamation to be issued.

Provisos.
Personnel.

Organized Militia.
Acceptance of, in advance of other volunteers.

Commissions, etc., to officers.

Proportion of enlisted men to States, etc.

Acceptance of other volunteers.

SEC. 4. That the volunteer forces shall be subject to the laws, orders, and regulations governing the Regular Army in so far as such laws, orders, and regulations are applicable to officers or enlisted men whose permanent retention in the military service, either on the active list or on the retired list, is not contemplated by existing

Application of Army regulations.

Eligibility for promotions, etc.

law; and no distinction shall be made between the Regular Army, the organized militia while in the military service of the United States, and the volunteer forces in respect to promotion or to the conferring upon officers or enlisted men of brevet rank, medals of honor, certificates of merit, or other rewards for distinguished service, nor in respect to the eligibility of any officer of said Army, militia, or volunteer forces for service upon any court-martial, court of inquiry, or military commission: *Provided*, That the organization of all units of the line and of the signal troops of the volunteer forces shall be the same as that prescribed by law and regulations for the corresponding units of the Regular Army: *Provided further*, That when military conditions so require the President may organize the land forces of the United States into brigades and divisions and such higher units as he may deem necessary, and the composition of units higher than the regiment shall be as he may prescribe: *Provided further*, That to each regiment of Infantry, Cavalry, and Artillery, and to each battalion of Engineers and Signal Corps troops organized under this Act, there shall be attached the same personnel of the Medical Department as are attached to like organizations of the Regular Army: *Provided further*, That the organization of the coast defenses, of machine-gun detachments, establishments of the Medical Department, remount depots, military trains, secret-service agencies, military prisons, lines of communication, including their supply depots, and of other adjuncts that may be necessary in the prosecution of war, and the organization of which is not otherwise provided for by law, shall be as the President may from time to time direct.

Provisos.
Line and signal units.

Brigades, divisions, etc.

Medical assignments.

Other separate organizations.

All officers to be appointed by the President.
Limit.

SEC. 5. That except as otherwise provided herein the President is authorized, by and with the advice and consent of the Senate, to appoint all volunteer officers required by this Act, but the number and grade of such officers shall not exceed the number and grade of like officers provided for a like force of the Regular Army: *Provided*, That all appointments below the grade of brigadier general in the line of the volunteer forces shall be by commission in an arm of the service and not by commission in any particular regiment; and officers in each arm of the service shall be assigned to organizations of that arm, and transferred from one organization to another in that arm, as the interests of the service may require, by orders from the Secretary of War: *Provided further*, That no officer above the grade of colonel shall be appointed under the provisions of this Act.

Provisos.
Commissions in an arm, not regimental.

No appointments above colonel.

Volunteer staff officers.
Appointments authorized.

SEC. 6. That to provide the staff officers that will be necessary in the various staff corps and departments in time of war or while war is imminent, and that are not otherwise provided for in this Act, the President is authorized to appoint, by and with the advice and consent of the Senate, such number of volunteer staff officers of grades authorized by law for the Regular Army as he may find necessary for such corps and departments: *Provided*, That the total number of such staff officers so appointed, including all such officers of the organized militia called into the military service of the United States, shall not exceed the ratio of one officer to two hundred enlisted men for all militia and volunteer forces called into the military service of the United States: *Provided further*, That the number of volunteer staff officers appointed in any grade in the various staff corps and departments shall not exceed in any staff corps or department the proportionate strength of regular officers of the corresponding grade as established by law for the corresponding staff corps or department of the Regular Army: *Provided further*, That the President may appoint, by and with the advice and consent of the Senate, volunteer chaplains at the rate of one for each regiment of Volunteer Infantry, Cavalry, and Field Artillery, and one for every

Provisos.
Ratio to enlisted men.

Number limited.

Volunteer chaplains.

twelve companies of Volunteer Coast Artillery raised, with rank corresponding to that established by law for chaplains in the Regular Army.

Selection of officers. Persons eligible. Vol. 32, p. 779.

SEC. 7. That in appointing the volunteer officers authorized by this Act the President may select them from the Regular Army, from those duly qualified and registered pursuant to section twenty-three of the Act of Congress approved January twenty-first, nineteen hundred and three, from the country at large, from the organized land militia of the District of Columbia, and, upon the recommendation of the various governors, from the organized land militia of the several States and Territories in proportion, as far as practicable, to their respective populations, and as far as compatible with the interests of the military service, from the localities from which the troops with which the officers appointed upon said recommendation are to serve shall have been recruited: *Provided*, That in appointments from the country at large preference shall be given those who shall have had honorable service in the Regular Army, the National Guard, or the volunteer forces, or who shall have been graduated from educational institutions in which military instruction is compulsory: *Provided further*, That at the same time, not to exceed one Regular Army officer shall hold a volunteer commission in any one battalion of volunteer engineers or signal troops, or in any one battalion of Volunteer Field Artillery; and not to exceed four Regular Army officers shall, at the same time, hold commissions in any one regiment of Volunteer Cavalry, Field Artillery, or Infantry, or in any twelve companies of Coast Artillery, including their field and staff: *And provided further*, That Regular Army officers appointed as officers of Volunteers under this Act shall not thereby vacate their Regular Army commissions nor shall they be prejudiced in their relative or lineal standing therein by reason of their service under their volunteer commissions.

Provisos. Preferences.

Volunteer commissions to Regular Army officers. Limitation.

Regular commissions not vacated.

Filling temporary vacancies made in Army by appointments of officers in volunteers.

SEC. 8. That the temporary vacancies created in any grade not above that of colonel among the commissioned personnel of any arm, staff corps, or department of the Regular Army, through appointments of officers thereof to higher volunteer rank, shall be filled by temporary promotions, according to seniority in rank of officers holding commissions in the next lower grade in said arm, staff corps, or department; and all temporary vacancies created in any grade by temporary promotions shall in like manner be filled from, and thus create temporary vacancies in, the next lower grade; and the vacancies that remain thereafter in said arm, staff corps, or department, that can not be filled by temporary promotions, as prescribed in this section, may be filled by the temporary appointment of officers of such number and grade or grades as shall maintain said arm, corps, or department at the full commissioned strength authorized by law: *Provided*, That in the Staff Corps and departments subject to the provisions of sections twenty-six and twenty-seven of the Act of Congress approved February second, nineteen hundred and one, and Acts amendatory thereof, temporary vacancies that can not be filled by temporary promotions, as hereinbefore prescribed, shall be filled by temporary details made in the manner prescribed in said sections twenty-six and twenty-seven and Acts amendatory thereof, and the resulting temporary vacancies in the branches of the Army from which the details are so made shall be filled as hereinbefore in this section prescribed: *Provided*, That officers temporarily promoted or appointed under the terms of this section shall be so promoted or appointed by the President, by and with the advice and consent of the Senate, for terms that shall not extend beyond the termination of the war or, if war shall not occur, beyond the passing of the imminence thereof, as defined by the President's proclamation, and upon the expiration of

Provisos. Temporary staff details. Vol. 31, p. 755.

Limit of temporary appointments.

said terms said officers shall be discharged from the positions held by them under their temporary promotions or appointments: *Provided further*, That officers temporarily promoted under the provisions of this section shall not vacate their permanent commissions, nor shall they be prejudiced in their lineal or relative standing in the Regular Army under permanent commissions, by reason of their services under temporary commissions authorized by this section.

Permanent commissions, etc., not vacated.

Returns and muster rolls.

SEC. 9. That all returns and muster rolls of organizations of the volunteer forces and of militia organizations while in the service of the United States shall be rendered to The Adjutant General of the Army, and upon the muster out of such organizations the records pertaining to them shall be transferred to and filed in The Adjutant General's Office. And regimental and all other medical officers serving with volunteer troops, or with militia organizations in the service of the United States, in the field or elsewhere, shall keep a daily record of all soldiers reported sick or wounded, as shown by the morning calls or reports, and shall deposit such reports, with other reports provided for in this section, in The Adjutant General's Office, as provided for herein for other reports, returns, and muster rolls.

Medical records.

Maintenance of maximum strength.

SEC. 10. That in time of war or while war is imminent all organizations of the land forces in the military service of the United States shall be recruited and maintained as near their prescribed strength as practicable. For this purpose the necessary rendezvous and depots shall be established by the Secretary of War for the enlistment and training of all recruits, and in order that officers may be available for recruiting duty the President is authorized, by and with the advice and consent of the Senate, to appoint officers of Volunteers of the proper arm of the service, additional to those elsewhere herein authorized, in numbers not to exceed at the rate of one major, four captains, five first lieutenants, and five second lieutenants for each organized regiment of Cavalry, Field Artillery, or Infantry, each three battalions of Engineers, or each twelve companies of Coast Artillery; that for purposes of instruction and discipline the troops at recruit depots herein authorized may be organized into companies and battalions, at the discretion of the Secretary of War, with noncommissioned officers and privates of such grades and numbers as may be prescribed by the President. The recruit rendezvous and recruit depots herein prescribed shall be under the direct control of the Secretary of War, and shall render their reports and returns to The Adjutant General of the Army: *Provided*, That to maintain the organized land militia organizations in the military service of the United States at their maximum strength the recruiting rendezvous and depots in any State or Territory may, at the request of the governor thereof, enlist and train recruits for the organized land militia organizations in the service of the United States from said State or Territory.

Recruiting rendezvous and depots.

Volunteer officers for duty at.

Instruction organizations.

Proviso.
Instruction of Organized Militia.

Use of Army retired officers, etc.

SEC. 11. That in the organization of a recruiting system, after Congress shall have authorized the raising of volunteer forces, the President is authorized to employ retired officers, noncommissioned officers, and privates of the Regular Army, either with their rank on the retired list or, in the case of enlisted men, with increased noncommissioned rank; or he may, by and with the advice and consent of the Senate, appoint and employ retired officers below the grade of colonel, with increased volunteer commissioned rank not to exceed in the case of any officer one grade above that held by him upon the retired list, or retired enlisted men with volunteer commissioned rank not above the grade of first lieutenant: *Provided*, That retired officers and enlisted men while thus employed shall not be eligible for transfer to the field units, but shall receive the full pay and allowances of the respective grades in which they are serving, whether volunteer or regular, in lieu of their retired pay and allowances: *Provided further*,

Volunteer commissions.

Provisos.
Service restricted.

That upon the termination of the duty or, in case of those given volunteer rank, upon muster out as volunteers said retired officers and enlisted men shall revert to their retired status. Status on termination of duty.

SEC. 12. That, except as otherwise specifically prescribed by law, all officers provided for in this Act shall be subject to such assignments of duty and such transfers as the President may direct: *Provided*, That medical officers of Volunteers when detailed as consulting surgeons shall not exercise command over the hospitals to which they may be assigned for duty, except that by virtue of their commissions they may command all enlisted men: *Provided further*, That medical inspectors shall be detailed for duty with each army, field army, or army corps, and division, and for the base and lines of communications, and that no officer shall be detailed for duty as a medical inspector except he be experienced in military sanitation. Duty assignments of officers. *Provisos.* Volunteer medical officers. Detail of medical inspectors.

SEC. 13. That all officers and enlisted men of the volunteer forces shall be in all respects on the same footing as to pay, allowances, and pensions as officers and enlisted men of corresponding grades in the Regular Army. Pay, etc., to correspond with Army.

SEC. 14. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed. Conflicting laws repealed.

Approved, April 25, 1914.

CHAP. 72.—An Act Making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and fifteen. April 27, 1914. [H. R. 13453.] [Public, No. 91.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June thirtieth, nineteen hundred and fifteen. Army appropriations.

CONTINGENCIES OF THE ARMY: For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, exclusive of personal services in the War Department, or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, $25,000. Contingencies of the Army. Emergencies.

OFFICE OF THE CHIEF OF STAFF. Office of Chief of Staff.

ARMY WAR COLLEGE: For expenses of the Army War College, being for the purchase of the necessary stationery; typewriters and exchange of same; office, toilet, and desk furniture; textbooks; books of reference; scientific and professional papers and periodicals; printing and binding; maps; police utensils; employment of temporary, technical, or special services; and for all other absolutely necessary expenses, including $25 per month additional to regular compensation to chief clerk of division for superintendence of the War College Building, $9,000. Army War College.

CONTINGENCIES, MILITARY INFORMATION SECTION, GENERAL STAFF CORPS: For contingent expenses of the Military Information Section, General Staff Corps, including the purchase of law books, professional books of reference, professional and technical periodicals and newspapers, and of the military attachés at the United States embassies and legations abroad; and of the branch office of the Military Information Section at Manila and the actual and necessary traveling expenses incurred by military attachés abroad under orders from the Contingencies, Military Information Section.