

AN ACT TO ESTABLISH THE PHILIPPINE MILITIA, PROVIDE FOR THE ENROLLMENT OF THE UNORGANIZED MILITIA, AND THE FORMATION, ORGANIZATION AND GOVERNMENT OF THE ORGANIZED MILITIA OF THE...

Act No. 2715, March 17, 1917

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. The short title of this Act shall be "The Militia Act."

SEC. 2. The militia shall consist, first, of every able-bodied male citizen of the Philippine Islands who is more than eighteen and not more than forty-five years of age, except as hereinafter provided, and second, of American citizens who may be enrolled or appointed in the National Guard.

SEC. 3. Judicial and administrative officers of the Insular Government and of the different provinces of the Philippine Islands, including the Department of Mindanao and Sulu; persons in the military or naval service of the United States and of the Philippine Islands; clerks of the Bureau of Customs, letter carriers, artificers and workmen employed in the armories, arsenals and dockyards of the United States and of the Philippine Islands, and harbor pilots, shall be exempt from duty in the militia, regardless of their age.

SEC. 4. The militia shall be divided into two classes: First, regularly enlisted militia between the ages of eighteen and forty-five years, organized, armed and equipped as hereinafter provided, and commissioned officers between the ages of twenty-one and sixty-four years, which shall be designated and known as the National Guard; and, second, the reserve militia.

SEC. 5. The Governor-General shall be Commander in Chief of all the militia.

SEC. 6. When it is necessary to execute the laws, repress or repel invasion or to quell disturbances or riots, or when a requisition shall be made by the President of the United States for troops, the Governor-General, as Commander in Chief, may by proclamation require the enrollment of the reserve militia or such portion thereof as may be necessary, and he shall appoint the necessary enrolling officers and prescribe their duties, issuing all proper orders that may be required in the premises.

The Governor-General, as Commander in Chief, shall provide for the organization of the land forces of the reserve militia into companies or batteries, battalions or squadrons, regiments, brigades and divisions; he shall designate the places of rendezvous and of supply depots and prescribe the necessary measures so that the enrollment may be, at all times, prompt, orderly, and efficient.

SEC. 7. The organized militia under the designation of the National Guard shall consist of not more than nine regiments of infantry, one squadron of cavalry, one regiment of field artillery, four companies of coast artillery, brigade, division and general headquarters with their detachments and troops, the general officers commanding the divisions and brigades, an adjutant-general's department, an inspector-general's department, a

judge-advocate-general's department, a quartermaster corps, a medical department, a corps of engineers, an ordnance department, and a signal corps. These troops shall constitute a general headquarters and complete division, which division shall be under the command of a major-general.

SEC. 8. As soon as may be practicable after the passage of this Act the Governor-General shall be authorized to organize, equip, and muster into the National Guard three regiments of infantry of three battalions each, one troop of cavalry, two batteries of field artillery, two companies- of coast artillery, the brigade, division and general headquarters with their detachments and troops, an adjutant-general's department, an inspector general's department, a judge-advocate-general's department, a quartermaster corps, a medical department, an engineer corps, an ordnance department, and a signal corps.

These troops shall constitute a general headquarters and a provisional division, which division shall be under the command of a division general. Each brigade shall be under the command of a brigadier-general. In the absence of the division commander or of a brigade commander the command of the division or brigade shall devolve on the next highest line officer present until such time as the Commander in Chief may designate the officer to command.

SEC. 9. The general headquarters shall consist of the adjutant-general, inspector general, judge-advocate-general, chief quartermaster, surgeon general, chief of engineers, chief of ordnance, chief signal officer, and such officers and enlisted men of these staff corps as are not assigned or detailed to duty with the division or brigades. It shall also include three aides of the Commander in Chief who shall not be of higher rank than major and who shall be detailed by the Commander in Chief from the commissioned officers of the National Guard. The Commander in Chief may detail such officers and enlisted men as he may see fit for special duty with the general headquarters.

SEC. 10. Each division and brigade shall consist of such troops as may be assigned to it by the Commander in Chief.

SEC. 11. The division staff shall consist of the following officers who shall be detailed from the different staff corps and departments: one adjutant-general, lieutenant-colonel, adjutant-general's department; one inspector general, lieutenant-colonel, inspector-general's department; one judge-advocate, lieutenant-colonel, judge-advocate-general's department; one chief quartermaster, lieutenant-colonel, quartermaster corps; one chief surgeon, lieutenant-colonel, medical department; one chief engineer, lieutenant-colonel, corps of engineers; one chief ordnance officer, lieutenant-colonel, ordnance department; one chief signal officer, lieutenant-colonel, signal corps; and three aides, captains or lieutenants of the National Guard, and such other officers as may from time to time be detailed from the National Guard for duty with the division.

SEC. 12. Each brigade staff shall consist of the following officers who shall be detailed from the different staff corps and departments: One adjutant-general, major, adjutant-general's department; one inspector general, major, inspector-general's department; one judge-advocate, major, judge-advocate-general's department; one quartermaster, major, quartermaster corps; one surgeon, major, medical department; one engineer officer, major, engineer corps; one ordnance officer, major, ordnance department; one signal officer, major, signal corps; and two aides, lieutenants of the National Guard; and such other officers as may be detailed from time to time from the National Guard for duty with the brigade.

SEC. 13. Each regiment of infantry shall consist of one colonel, one lieutenant-colonel, three majors, fifteen captains, sixteen first lieutenants, fifteen second lieutenants, one headquarters company, one machine gun company, one supply company, and twelve infantry companies organized into three battalions of four companies each.

Each infantry battalion shall consist of one major, one first lieutenant, mounted (battalion adjutant), and four companies.

Each infantry company in battalion shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one mess sergeant, one supply sergeant, six sergeants, eleven corporals, two cooks, two buglers, one mechanic, nineteen privates (first class), and fifty-six privates.

Each infantry headquarters company shall consist of one captain, mounted (regimental adjutant), one regimental sergeant-major, mounted; three battalion sergeants-major, mounted; one first sergeant (drum major) ; two color sergeants ; one mess sergeant; one supply sergeant; one stable sergeant; one sergeant; two cooks; one horseshoer; one band leader; one assistant band leader; one sergeant bugler; two band sergeants; four band corporals; two musicians, first class; four musicians, second class; thirteen musicians, third class; four privates, first class, mounted; and twelve privates, mounted.

Each infantry machine gun company shall consist of one captain, mounted; one first lieutenant, mounted; two second lieutenants, mounted; one first sergeant, mounted; one mess sergeant; one supply sergeant, mounted; one stable sergeant, mounted; one horseshoer; five sergeants; six corporals; two cooks; two buglers; one mechanic; eight privates (first class) ; and twenty-four privates.

Each infantry supply company shall consist of one captain, mounted; one second lieutenant, mounted; three regimental -supply sergeants, mounted; one first sergeant, mounted; one mess sergeant; one stable sergeant; one corporal, mounted; one cook; one saddler; one horseshoer; and one wagoner for each wagon of the field and combat train: Provided, That the Governor-General may, in his discretion, increase a company of infantry by two sergeants, six corporals, one cook, one mechanic, nine privates (first class), and thirty-one privates; an infantry machine gun company by two sergeants, two corporals, one mechanic, four privates (first class), and twelve privates.

The commissioned officers required for the infantry headquarters, supply and machine gun companies and for the companies organized into battalions shall be assigned from those hereinbefore authorized.

SEC. 14. A squadron of cavalry shall consist of one major, one first lieutenant (squadron adjutant), and four troops. A troop of cavalry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one mess sergeant, one supply sergeant, one stable sergeant, five sergeants, eight corporals, two cooks, two horseshoers, one saddler, two buglers, ten privates (first class), and thirty-six privates.

SEC. 15. A regiment of field artillery shall consist of one colonel, one lieutenant-colonel, one headquarters company, one supply company, and such number of gun and howitzer batteries as the Commander in Chief may direct.

Each battery of field artillery shall consist of one captain, two first lieutenants, two second lieutenants, one first sergeant, one supply sergeant, one stable sergeant, one mess sergeant, one packmaster sergeant (first class), six sergeants, one assistant packmaster sergeant, one cargador corpora], thirteen corporals, one chief mechanic, one saddler, two horseshoers, one mechanic, two buglers, three cooks, twenty-two privates (first class), and seventy-one privates.

SEC. 16. Each company of coast artillery shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one supply sergeant, eight sergeants, twelve corporals, two cooks, two mechanics, two buglers, twenty privates (first class), and sixty privates (second class).

SEC. 17. The adjutant-general's department shall consist of an adjutant-general, with the rank of

brigadier-general; one assistant adjutant-general, with the rank of colonel, who shall assist the adjutant-general in the discharge of his duties generally, and who shall perform the duties of the adjutant-general in the absence or disability of the adjutant-general; two assistant adjutants-general, with the rank of lieutenant-colonel; three assistant adjutants-general, with the rank of major, and the inspector instructors that may be appointed by the Commander in Chief. Inspector instructors shall have the rank of captain and their number shall not exceed five for each brigade of troops. They shall either be originally appointed by the Commander in Chief as inspector instructors or detailed by him from the officers of the National Guard.

SEC. 18. The adjutant-general shall issue and transmit 0 all orders of the Commander in Chief with reference to the militia and military organizations of the Philippine Islands, and shall keep a record of all officers commissioned by the Governor-General and all general and special orders and regulations, and all such matters as pertain to the organization of the Insular militia and the National Guard, and perform the duties of adjutant-general, chief of staff, quartermaster general and chief of ordnance. He shall have charge of the insular armory, arsenal and arsenal grounds, and all military camps and target ranges, and shall receive and issue all ordnance stores, clothing, camp and garrison equipage, subsistence stores and all other public property pertaining to the military forces of the Philippine Islands, on the order of the Commander in Chief. The adjutant-general and the assistant adjutant-general shall receive for their services the pay fixed by law. The adjutant-general may appoint, with the approval of the Governor-General, an ordnance sergeant to be permanently on duty at the general headquarters of the National Guard with the pay fixed by law. The adjutant-general shall furnish, at public expense, all blank books, blanks and forms, and such military instruction books as shall be approved by the Commander in Chief. He shall also, on or before the first day next preceding the regular session of the Legislature, make out a full and detailed report of all the transactions of his office, with the receipts and expenditures of the same for the preceding year. In preparing his account of the money paid out and expended, he will group the expenditures made from each separate appropriation under the following subheads or titles:

NATIONAL GUARD.

- Armory, rent, fuel, light, janitor, et cetera.
- Camp and garrison equipage, clothing and equipment.
- Pay of officers and troops for camp duty, and other duties orde'ed by the Commander in Chief.
- Transportation of officers and troops.
- Subsistence of troops at each camp of instruction, practice march, or other duty ordered by the Commander in Chief.
- Horse hire and forage.
- Target practice, including all expenses connected there- with, except pay of officers and enlisted men and civil employees.
- Pay of officers, clerks, enlisted men, and civil employees with permanent salaries.
- Miscellaneous expenses.
- Total expenditures.

The adjutant-general shall also report the total unexpended balance of appropriation on hand, and shall also report upon such other matters at such time as shall be required by the Governor-General.

The adjutant-general and assistant adjutant-general shall each reside at the Insular capital and hold their respective offices during the pleasure of the Governor-General.

SEC. 19. Stores, supplies and equipment for the National Guard not issued by the United States Government shall be obtained through the Bureau of Supply on requisitions drawn by the adjutant-general.

Sec. 20. The inspector general's department shall consist of one inspector general, with the rank of colonel; one inspector general with the rank of lieutenant-colonel, and three inspectors general with the rank of major.

SEC. 21. The judge-advocate-general's department shall consist of one judge-advocate-general, with the rank of colonel; one judge-advocate with the rank of lieutenant-colonel, and three judge-advocates, with the rank of major.

SEC. 22. The quartermaster corps shall consist of the adjutant-general acting as quartermaster-general; one assistant chief quartermaster, with the rank of colonel; three assistant quartermasters-general, with the rank of lieutenant-colonel; four majors, and eight captains.

The total enlisted strength of the quartermaster corps and the number in each grade shall be limited and fixed and shall be assigned to station and duties by the Governor-General from time to time in accordance with the actual needs of the National Guard, and shall consist of quartermaster-sergeants, sergeants, corporals, cooks, privates (first class), and privates.

The actual number in each grade at any one time shall not exceed the following: eight quartermaster-sergeants; twenty sergeants; thirty corporals; twelve cooks; fifty privates, first class; one hundred privates.

SEC. 23. The medical department shall consist of one surgeon-general, with the rank of colonel; two lieutenant-colonels; seven majors; sixteen captains; eight first lieutenants; five dental surgeons, with the rank of first lieutenant ; one veterinarian, with the rank of second lieutenant; six master hospital sergeants; eighteen hospital sergeants, first class; fourteen sergeants; thirty-two corporals; thirty-eight privates, first class, and one hundred and eighteen privates.

SEC. 24. The corps of engineers shall consist of one chief of engineers, with the rank of colonel; one lieutenant-colonel; three majors; six captains; eight first lieutenants; five second lieutenants; and the battalion and companies of engineers hereinafter enumerated.

The battalion of engineers shall consist of one major and one captain detailed from the officers herein before authorized; one battalion sergeant-major; three master engineers, junior grade, and three companies.

Each engineer company shall consist of one captain, two first lieutenants, and one second lieutenant detailed from the officers herein before authorized; one first sergeant; three sergeants, first class; one mess sergeant, one supply sergeant, one stable sergeant, six sergeants, twelve corporals, one horseshoer, two buglers, one saddler, two cooks, nineteen privates (first class), and fifty-nine privates.

The Governor-General may, in his discretion, increase the battalion by three master engineers, junior grade, and each engineer company by two sergeants, six corporals, one cook, twelve privates (first class), and thirty-four privates.

SEC. 25. The ordnance department shall consist of the adjutant-general as chief of ordnance, one assistant chief of ordnance, with the rank of colonel; two assistant chiefs of ordnance, with the rank of lieutenant-colonel; three majors, and eight captains.

SEC. 26. The signal corps shall consist of one chief signal officer, with the rank of colonel; one

lieutenant-colonel, three majors, and six captains; twenty-one first lieutenants and an aviation section, which shall consist of one major, four captains, and ten first lieutenants; three master signal electricians, six sergeants (first class), twelve sergeants, twelve corporals, four cooks, and a maximum of one hundred privates.

SEC. 27. The Commander in Chief is authorized to appoint one chaplain with the rank of captain for each regiment and one chaplain with the rank of first lieutenant for each separate squadron, battalion, or corps.

SEC. 28. After the organization of the troops provided for by section eight of this Act the Commander in Chief shall from time to time add such units to the National Guard as in his opinion are necessary or desirable, until the National Guard shall conform to the requirements of section seven; but the National Guard under this organization shall not exceed a total strength of twenty-five thousand officers and enlisted men.

SEC. 29. There shall be a Militia Commission which shall consist of the Secretary of the Interior, the Presidents of both Houses or their representatives, the Secretary of Finance, the Secretary of Justice, and two other members to be appointed by the Governor-General. Said Commission, which shall organize as may be deemed most efficient and convenient, shall have the powers and exercise the duties prescribed by law, and in general, shall advise the Governor-General in those measures of general or permanent character relative to the organization, equipment and government of the National Guard and the reserve militia.

SEC. 30. All officers of the National Guard shall be appointed and commissioned by the Commander in Chief after such physical and mental examination and such practical tests of efficiency as may be prescribed by rules and regulations. Officers shall hold their commissions at the pleasure of the Commander in Chief or until separated by resignation, retirement or desertion, or by sentence of a general court-martial or finding of an efficiency board. Non-commissioned officers of the staff corps and departments shall be appointed by the chief officer of their corps or department. Non-commissioned staff officers of regiments, battalions, and squadrons shall be appointed by the commanding officer of the regiment, battalion, or squadron to which they belong. Non-commissioned officers of companies and batteries shall be appointed on the recommendation of their company or battery commanders by the commanding officer of the regiment, battalion, or squadron to which they belong. All appointments of non-commissioned officers shall be by warrant and non-commissioned officers shall hold their positions at the will of the officer commanding them.

SEC. 31. Whenever any company of the National Guard shall be reduced to a number that in the opinion of the Commander in Chief is not sufficient for efficient service, it may be disbanded or consolidated with another company by the Commander in Chief.

SEC. 32. The Commander in Chief is hereby authorized to make rules and regulations, with the advice of the Militia Commission, for the government and discipline of the National Guard, which rules and regulations shall conform to the Philippine laws and as nearly as practicable to the laws and regulations for the government of the Army of the United States.

SEC. 33. The organization, armament, equipment, uniform, discipline, and government of the National Guard not otherwise provided for in this Act or in general regulations shall conform to the regulations, customs, and usages of the Army of the United States.

SEC. 34. For the purpose of determining the fitness of applicants for commission in the National Guard units about to be formed, the Commander in Chief may appoint a board of four officers, one of whom shall be a medical officer, whose duty it shall be to proceed to the locality where the unit is to be formed and ascertain the fitness and general efficiency of those who offer themselves or who are suggested to the board as suitable for commissioned officers and make a report of the result of their observation and examination through the

adjutant-general to the Commander in Chief.

SEC. 35. The adjutant-general shall keep a careful record of the zeal, ability, attention to duty, and general fitness of the officers of the National Guard. This record shall be made up from the reports made by the inspectors, inspector instructors, the commanding officers of brigades, regiments, and battalions and of the chief officers of the different staff corps and departments.

SEC. 36. The Commander in Chief shall detail a board of officers at general headquarters whose duty it shall be to examine these records and reports and make recommendations on the same to the Commander in Chief.

The Commander in Chief may at any time appoint an examining board of not more than five officers, one of whom shall be a medical officer, whose duty it shall be to examine and inquire into the mental, moral, professional, and physical fitness of officers due or recommended for promotion, and make a report on the same to the Commander in Chief.

SEC. 37. Officers of the National Guard believed to be incapacitated for the proper performance of their duties by reason of the acquiring¹ of undesirable habits, either of appetite, temperament, or morals, or by reason of negligence or slothfulness, may be ordered before a board of officers on the recommendation of their immediate commanding officer, or any superior commanding officer, which recommendation shall set out fully the reasons or causes which make it undesirable that such officer should longer continue in the service.

SEC. 38. Whenever a recommendation is made pursuant to the provisions of the preceding section, and such recommendation is approved by superior commanders, it shall be the duty of the Commander in Chief to convene a board, consisting of not less than three nor more than five officers, senior in rank to the officer to be examined or of a different arm or corps, one at least of whom shall be a medical officer, to examine into the matter of such recommendation and the conduct and qualifications of the officer who is the subject thereof, and report to the Commander in Chief, through the adjutant-general, whether or not they approve such recommendation; if such recommendation is approved by the board of officers, then the officer who is the subject thereof shall be discharged from the military service and his commission vacated.

SEC. 39. The commanding officer of each regiment, battalion, company, battery, engineer company, signal corps, detachment or section of any detachment, may order weekly or semiweekly drills. The minimum number of such drills so ordered shall be forty-eight in any one year, and such ' commanding officer may order such parades, maneuvers and exercises in addition to the regular drills as the proper instruction of his command and the proper observance of legal holidays may make necessary.

SEC. 40. The Commander in Chief may order a tour of camp or field duty for the National Guard of not less than eight nor more than twelve days annually, and may extend the time of such tours a greater number of days than twelve, without expense to the Insular Government for pay and subsistence for such number of days exceeding twelve. When proper facilities exist, a portion of the time allotted to field training shall be devoted to target practice.

SEC. 41. The commanding officer of any encampment or parade may cause those under his command to perform any field or camp duty he shall require, and may put under ' arrest during such encampment or parade, any member of his command who shall disobey a superior officer or be guilty of disorderly or unmilitary conduct, and any other person who shall trespass on the parade or encampment ground, or in any way interrupt or molest the orderly discharge of duty by the members of his command, and he may prohibit the sale of all spirituous or malt liquors within one mile of such encampment, and enforce such prohibition by force if necessary: Provided, however, That nothing herein contained shall be construed to interfere with the regular business of any liquor

dealer whose place of business shall be situated within said limits before the commencement of said encampment.

SEC. 42. Upon the muster in of any new organization in the National Guard, on the requisition of its commanding officer and the approval of the Commander in Chief, the adjutant-general shall issue all necessary clothing, equipage, ordnance stores, arms and munitions, and all other public property which may be necessary: Provided, however, That before the delivery of any clothing, equipage, ordnance stores, arms, or munitions to any commander, he shall execute and deliver to the adjutant-general a bond, payable to the Filipino people, in a sufficient amount, and with sufficient security, to be approved by the Commander in Chief, conditioned for the proper use of such clothing, equipage, ordnance stores, arms and munitions, and the return of the same, when requested by the proper officer, in good order, wear, use, and unavoidable loss and damage excepted. All such clothing, equipage, ordnance stores, arms and munitions, shall be kept at the company, regimental, or division armory, and the same shall not be removed there from for any purpose whatsoever, except for regular drills or when authorized by the commanding officer.

SEC. 43. The inspector general or any of his assistants shall critically inspect at least once in each year all the arsenals, camp grounds and target ranges of the Philippine Government and all public property of every kind and nature, stored therein or pertaining thereto, and make full report upon proper blanks to the Commander in Chief, through the adjutant-general, of the condition of such arsenals, camp grounds, and target ranges, and the condition, quantity and approximate value of all camp and garrison equipage, military stores, arms, accouterments and arsenal stores on hand, and accompany said report with such recommendations as to the care and preservation of said property, and the disposition of worn-out and unserviceable property as he deems expedient and proper.

SEC. 44. The entire National Guard shall be inspected at their home stations at least once in each year by the inspector general or an assistant inspector general, or an acting assistant inspector general, specially detailed for the purpose by the Commander in Chief. The officer conducting such inspection shall carefully inspect all ordnance stores, clothing, equipage, books, records and property belonging to the Insular Government and to the Government of the United States, and the commanding officer of the organization undergoing inspection shall furnish said inspector with all necessary information, data and assistance to that end. And said inspector shall also examine and inquire into the method and scope of instruction as conducted by the commanding officer, the knowledge of and familiarity with the various duties on the part of officers and non-commissioned officers, also inform himself of the status of the organization undergoing inspection in the community where it is stationed and whether or not it merits or receives the moral support of the community, and make full report upon the prescribed blanks to the Commander in Chief, through the adjutant-general (and when the inspection is made by an officer other than the inspector general, through the inspector general), of the condition of each command, and the ordnance and property thereof. Inspecting officers shall be paid for the time actually devoted to said duty, under orders of the Commander in Chief, the pay to be fixed by law, and all necessary expenses incurred therein shall be paid on requisition in the same manner as herein above provided for. The Commander in Chief may authorize the commanders of brigades, regiments and battalions to inspect their commands or portions thereof at their home stations, whenever the interests of the service would be subserved thereby, and authorize the payment for such duty as above provided.

SEC. 45. The inspector general shall make a written report to the Commander in Chief, each year, embracing therein a statement of all troops, arsenals, camps, target ranges, and property thereof, and accompany said report with a statement showing the expenses incurred in conducting said inspection, and such comments and recommendations as may be requisite. Said report shall be made to include all inspections made prior to the first day of September in each year.

SEC. 46. Division and brigade inspectors shall make report in writing on the prescribed forms to the inspector?

general of all inspections made by them, immediately upon the conclusion of each inspection.

SEC. 47. The armory of each regiment, battalion, company, and detachment shall be subject to the order of the Commander in Chief and be under the charge of its commanding officer, who shall keep therein all property furnished by the Government of the Philippine Islands, and no company shall be furnished with arms or equipment until a suitable armory shall be provided for their deposit; nor shall such arms be loaned or taken from such armories by individual members of the company, without the express order or permission of the commanding officer. Any officer, non-commissioned officer, or private of the National Guard knowingly making any false certificate or false return of the property of the Philippine Government in his hands, or neglecting or refusing to apply all money drawn from the Treasury of the Philippine Islands for the purpose named in the requisition therefor, shall be deemed guilty of estafa, and shall be punished in the manner as provided for that offense in the Penal Code of the Philippine Islands.

SEC. 48. Any able-bodied man of good reputation between the age of eighteen and forty-five years, who can read and write, and who is a citizen of the Philippine Islands, or has declared his intention to become such, may be enlisted in the National Guard for a term of not less than three years. A man who has been expelled or dishonorably discharged from any military or naval organization of the Philippine Islands, or from the military or naval force of the United States, or from the military or naval force of any State, Territory, or district of the United States, shall not be eligible for enlistment or reenlistment unless he produces the written consent to such enlistment of the commanding officer of the organization from which he was expelled or dishonorably discharged, and of the commanding officer who approved such expulsion, or issued such dishonorable discharge. Men who have been honorably discharged before the expiration of their term of enlistment for any reason, may be subsequently enlisted for the balance of such unexpired term.

SEC. 49. Men who have completed a full term of enlistment in the National Guard or in the Philippine Scouts or Philippine Constabulary, and have been honorably discharged, may reenlist at any subsequent time in any organization of the National Guard for a term of one, two, or three years, at their option.

SEC. 50. Every person who enlists or reenlists in the National Guard shall sign an enlistment paper in form prescribed by the adjutant general, and by taking the following oath or affirmation, which may lie administered by any commissioned officer:

"I do solemnly swear (or affirm) that I will bear true allegiance to the Government of the United States and the Government of the Philippine Islands, that I will support the Constitution and laws thereof, and serve the Government of the Philippine Islands faithfully for a term of three years, unless I am sooner discharged, or cease to be a citizen of the Philippine Islands; that I will obey the orders of the Commander in Chief and such officers as may be placed over me, and the laws governing the military-forces of the Government of the Philippine Islands. So help me God."

SEC. 51. Nothing contained in the three preceding sections-^shall be construed to prevent the Governor-General from ordering to join the ranks and render active service for a period of not more than three years, every citizen of the Philippine Islands who is not exempt from the service of the militia, or such number thereof as he may deem necessary, which power, he may exercise at any time when in his opinion the public interests so require, and specifically in cases where the voluntary enlistments are not sufficient to complete and maintain the commissioned and enlisted strength of the National Guard.

SEC. 52. Enlisted men may be transferred, upon their own application, in the same regiment or independent battalion or squadron, from one company, battery, or division to another by the commanding officer of such regiment, battalion, or squadron not part of the regiment; to another in the same brigade by the commanding

officer of the brigade, from one regiment, independent battalion or squadron to another of the same brigade by the commanding officer of the brigade. All other transfers shall be made by order of the Commander in Chief.

SEC. 53. Any commanding officer having authority to appoint a non-commissioned officer shall have power to reduce him to the ranks for good and sufficient reasons. Non-commissioned officers of the staff corps and departments enlisted as non-commissioned officers shall not be reduced to the ranks but may be discharged for cause by order of the division commander.

SEC. 54. An enlisted man who has removed his residence to such distance from the armory of his organization as to render it impracticable for him to perform his duties properly, or who, after due diligence, can not be found, or has been convicted of felony, may be dropped from the roll of his company, battery, detachment or section by the commanding officer thereof, who shall forthwith report his action to the adjutant general through the regular military channels.

SEC. 55. An enlisted man dropped by reason of removal, or by reason of having been beyond the jurisdiction of his organization, may be taken up at any time within three years after having been so dropped from his former or any other organization, obtaining, in the latter case, first, written permission of his former commanding officer. All men taken up after being dropped, shall receive credit for the time served before having been dropped. Men who have been dropped and subsequently taken up shall be reported forthwith by the officer taking them up to the adjutant-general through the regular military channels, and shall be liable to serve an additional period to that already served to complete a full term of enlistment.

SEC. 56. Enlisted men shall be given on their discharge from the service a certificate of absolute discharge signed by a field officer of their regiment or corps, or by their commanding officer when no field officer is present.

Discharges shall be of three kinds:

1. (a) Honorable discharge upon expiration of term of service when conduct has been such as to warrant reenlistment and where his services have been honest and faithful.
(b) Certificate of disability when the disability is incurred in the line of duty and is incident to the service.
(c) Prior to expiration of term of service for the convenience of the Government, when the soldier's conduct has been such as to warrant reenlistment and his services have been honest and faithful.
2. The blank for dishonorable discharge is to be used when the enlisted man is discharged by sentence of court-martial or military commission.
3. The blank for discharge is to be used in all other cases.

SEC. 57. When an enlisted man is incompetent, or does not possess the required degree of adaptability for the military service, or gives evidence of habits or traits of character which serve to render his retention in the service undesirable, or is disqualified for service, physically or in character, through his own misconduct, his company or detachment commander shall report the facts to the commanding officer, who shall convene a board of officers, three if practicable, to determine whether or not the soldier should be discharged prior to the expiration of his term of enlistment. If the company or detachment commander is also the commanding officer, he shall report the facts to the next higher commander, who shall convene the board. When the findings of the board indicate disqualification through physical disability, the proceedings shall be accompanied by certificate of disability. If absolute discharge be recommended, the proceedings of the board, when approved by the convening authority, shall be forwarded to the adjutant-general.

SEC. 58. Courts-martial shall be of three kinds, namely, general courts-martial, special courts-martial, and

summary courts-martial. They shall be constituted in the same manner and have cognizance of the same subjects and possess like powers, except as to punishment, as similar courts provided for by the laws and regulations governing the Army of the United States, and the proceedings of the courts-martial of the National Guard shall follow the forms and modes of procedure prescribed for said similar courts.

SEC. 59. General courts-martial may be convened by order of the Commander in Chief. Such courts shall have power to impose fines not exceeding two hundred pesos, to sentence to forfeiture of pay and allowances, to a reprimand, to dismissal or dishonorable discharge from the service, to reduction of non-commissioned officers to the ranks, or any two or more of such punishments may be combined in the sentence of such courts.

SEC. 60. The commanding officer of each division, brigade, regiment, detached battalion, or other detached command may appoint special courts-martial for his command, but such special courts-martial may in any case be appointed by the superior authority when by the latter deemed desirable. The special court-martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the Philippine Islands, and such special court-martial shall have the same power of punishment as do general court-martial, except that fines imposed by such court shall not exceed one hundred pesos.

SEC. 61. The commanding officer of each regiment, detached battalion, detached company, or other detachment may appoint for such command a summary court, to consist of one officer, who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violation of laws governing such organizations, and said court, when satisfied of the guilt of such soldier, may impose fines not exceeding five pesos for any single offense, may sentence non-commissioned officers to reduction to the ranks, and may sentence forfeiture of pay and allowances. The proceedings of such court shall be informal, and the minutes thereof shall be the same as prescribed for summary courts of the Army of the United States until the promulgation of the general regulations of the militia.

SEC. 62. All courts-martial, including summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed, provided that such sentence of confinement shall not exceed one day for each peso of fine authorized.

SEC. 63. No sentence of dismissal from the service or dishonorable discharge shall be executed until approved by the Commander in Chief.

SEC. 64. Presidents of courts-martial and summary court officers shall have power to issue warrants to arrest accused persons or to bring them before the court for trial whenever such person shall have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charges having been delivered to the accused with such order, and to issue subpoenas and subpoenas duces tecum, and to enforce by attachment the attendance of witnesses and the production of documents and papers, and to sentence for refusal to be sworn or to answer as provided in actions before civil courts. The fees for all witnesses shall be the same as allowed in civil cases, to be taxed with the necessary expenses of the court by the president thereof. The Insular Auditor is authorized and directed to issue his warrant on the Insular Treasurer for the payment of the above fees and expenses, the same to be certified to by the adjutant-general and approved by the Commander in Chief. All such sums so certified and approved shall be payable from the appropriation made for the ordinary and contingent expenses of the National Guard. The warrant shall be made payable to the judge-advocate, who shall pay all the expenses of the trial when received by him. The process and sentences of said courts shall be executed by the sheriff of the province or of the city of Manila wherein said court is held, and the sheriff shall make return thereof to the officer issuing or imposing the same. If the sentence be a fine the sheriff shall collect the same in the

manner as he is authorized to collect debts in civil cases, and he shall make return thereof twenty days after receiving the same to the officer issuing the warrant or process. In default of the payment of any such fine or if the officer executing such warrant shall certify that there is no property of the defendant out of which to satisfy such warrant, then the officer issuing such warrant shall issue his warrant of commitment directed to such sheriff, who shall forthwith take the body of such delinquent and convey him to the provincial jail of the province and make return thereof to the court.

SEC. 65. It shall be the duty of the keepers and wardens of all provincial jails to receive and confine all military' offenders, when delivered by such sheriff, under proper warrant of commitment, for and during the term of sentence set forth in such commitment. No such imprisonment shall exceed a period of thirty clays, and the officer who convened the court that imposed such fine may liberate such prisoner at any time.

SEC. 66. Enlisted men fined by a military court who shall neglect or refuse to pay such fine within forty days after the same has been imposed, may be dishonorably discharged from the service.

SEC. 67. Whenever there is in any city, municipality, or . province a tumult, riot, mob or body of men acting together by force with attempt to commit a felony, or to offer violence to persons or property, or by force or violence to break or resist the laws of the Philippine Islands, or when such tumult, riot or mob threatens, and that fact is made to appear to the Governor-General, it shall be his duty to order such military forces as he may deem necessary, to aid the civil authorities in suppressing such violence, and executing the law.

SEC. 68. Whenever the military force provided for in this . Act shall be ordered out by the Governor-General, on any application of a civil officer, as aforesaid, or otherwise, it shall report to such civil officer as the Governor-General shall designate, and shall act in strict subordination to such civil authority in preserving peace, quelling riots, or executing the law, and may arrest any person or persons on view without process, and hold them in custody until, by order of the Commander in Chief, such person or persons shall be discharged from custody or delivered over to the civil authorities; and whenever necessary to suppress riot, disperse the mob, restore the peace and execute the law may use such force as may be necessary.

SEC. 69. All orders from civil officers to military commanders shall contain only the specific act to be performed by the military officer. The manner of performing said act shall be left to the discretion of the military officer. Military commanders shall transmit a copy of such orders at once through the regular military channels to the Commander in Chief.

SEC. 70. If any person shall molest, interrupt or insult by abusive words or behavior any officer or soldier while on duty, or at any parade or drill, he may be put immediately under guard, and kept, at the discretion of the commanding officer, until the duty, parade, or drill is concluded, and such commanding officer, in order to continue him under detention after the duty, parade or drill, shall deliver such person to any sheriff or to a police officer or sheriff of a province, city or town wherein such duty, parade or drill is held, to be dealt with as the law directs.

SEC. 71. Any person or persons composing or taking part in any riot, rout, tumult, mob, or lawless assemblage, who, after being commanded by a civil officer, if one is present, or by a military officer, if no civil officer is present, to disperse, willfully, and intentionally fails to do so, shall be guilty of a misdemeanor, and shall, on conviction, be fined in a sum not exceeding five hundred pesos, or imprisoned in the provincial or city jail not exceeding one year, or by both such fine and imprisonment.

SEC. 72. It shall be unlawful for any person to assault or fire upon, throw any missile at, against or upon any member or body of the National Guard, or civil officer or other person lawfully aiding them, when going to,

returning from, or assembled for performing any duty under the provisions of this Act, and any person so offending shall be guilty of a felony, and may, upon conviction, be imprisoned in the penitentiary for not less than two nor more than five years.

SEC. 73. If any portion of the National Guard or person lawfully aiding them in the performance of any duty, under the provisions of this Act, are assailed, assaulted, attacked, or in imminent danger thereof, the commanding officer of such National Guard may at once proceed to quell such attack and disperse the attacking parties, and take all other needful steps for the safety of his command.

SEC. 74. The members of the National Guard shall be privileged from arrest and imprisonment by civil authorities for violations or omissions of which they are charged, punishable by a fine of not exceeding two hundred pesos or imprisonment of not exceeding six months, or both, while under orders in the active service, from the date on which such orders are issued to the time when such service shall cease.

SEC. 75. If any member of the National Guard in the performance of his military duty, or in pursuance thereof, and while acting in his capacity as a member of the National Guard, shall kill, wound, maim, or injure any person, or shall cause, order, or direct the killing, wounding, maiming or injuring of any person, or the injury, destruction or confiscation of any property, real or personal, it shall be the duty of the officer commanding the military force of which such member is part, as soon as possible thereafter, to convene a board of inquiry, to consist of not less than two nor more than five commissioned officers of the military force, who shall examine and inquire into the facts in connection with, or in relation to the act or acts to be inquired of, and take down in writing the substance of the proof or evidence of the witnesses to and participants in such act or acts and transmit the same, together with their findings and conclusions from the facts adduced before said board, to the adjutant-general through the regular military channels. If any member of the National Guard shall be prosecuted by civil or criminal action for any act performed or committed by such member, caused, ordered, or directed by such member to be done or performed in furtherance of, and while in the performance of his military duty, all the expenses of the defense of such action or actions, civil or criminal, including attorneys' fees, witnesses' fees for the defense, defendant's court costs, and all costs for transcripts of records and abstracts thereof on appeal by the defense, shall be paid by the Insular Treasurer: Provided, That the Attorney-General of the Philippine Islands shall be first consulted in regard to, and approve the selection of, the attorney for the defense: And provided further, That the Attorney-General of the Philippine Islands, if he sees fit, may assume the responsibility for the defense of such member and conduct the same personally, or by any one or more of his assistants.

SEC. 76. The expense of such defense, as provided for in the preceding section, shall be paid by the adjutant-general out of the military funds of the Philippine Islands, upon vouchers and bills approved by the Attorney-General.

SEC. 77. No military company or detachment of the National Guard shall leave the Islands with arms and equipment without the consent of the Commander in Chief.

SEC. 78. It shall not be lawful for any body of men, other than the regularly organized militia of the Islands, the Philippine Constabulary, troops of the United States, Grand Army Posts, camps of the Sons of Veterans or organizations of ex-soldiers of the United States Army or Volunteers, or the Philippine Veteran Army, to associate themselves as a military company or organization, to drill or parade with arms in the Islands, except as hereinafter provided: Provided, That, by and with the consent of the Governor-General, independent regiments, battalions, or companies, organized for the purpose of recreation or to acquire military knowledge that may better enable them to serve the country in time of public peril, if such should arise, may associate themselves together as a military body or organization, and may drill or parade with arms in public in the Islands: Provided, further, That

students of educational institutions, where military drill is a part of the course of instruction, may, with the consent of the Governor-General, drill and parade with arms in public under command of their military instructor: Provided, That nothing herein contained shall be construed so as to prevent benevolent or social organizations from wearing swords. All military organizations in and by this section permitted to drill and parade with arms shall, on occasions of public parade, be required to carry the United States flag in addition to any private ensign which they may carry: Provided, further, That the consent herein specified may be withdrawn at the pleasure of the Governor-General.

SEC. 79. Whoever offends against the provisions of the preceding section, or belongs to, or parades with any such unauthorized body of men with arms, shall be punished by a fine not exceeding the sum of one hundred pesos, or by imprisonment, in the provincial or city jail for a term not exceeding six months, or both.

SEC. 80. The colors issued to regiments shall have in the center the arms of the Philippine Islands with scroll over and under the same, which scroll shall contain above both the name and arm of the service of the regiment and below the words "National Guard."

SEC. 81. All military property issued to the National Guard shall be used only in the discharge of military duty, and any non-commissioned officer or enlisted man who shall willfully or wantonly destroy, secrete, sell or attempt to sell, retain after proper demand made, or in any manner pawn or pledge such military property, shall be tried by court-martial and upon conviction, shall be sentenced to pay a fine not exceeding one hundred pesos, and in default of the payment of such fine, may be imprisoned in the provincial or city jail not exceeding thirty days.

SEC. 82. Any person not a member of the National Guard, Philippine Constabulary, Army of the United States, Grand Army of the Republic, Sons of Veterans, or organization of ex-soldiers of the Spanish-American or Filipino-American war or the Philippine revolution, who shall wear any uniform or designation of rank in use by the National Guard used or authorized in this Act, shall be guilty of a misdemeanor and, upon conviction, shall be fined in the sum of not less than twenty pesos, nor more than one hundred pesos; such offender shall be proceeded against as in the case of other misdemeanor under the statutes, and the person so fined shall be committed to the provincial or city jail until such fine and attendant costs are paid.

SEC. 83. Except in cases permitted by the rules and regulations, or when on duty, no member of the National Guard or the reserve militia shall use the National Guard or militia uniform. Whoever violates this section shall be adjudged by the court-martial and, upon conviction, shall be fined not to exceed twenty-five pesos, and if the fine is not paid, he may be imprisoned in the municipal or provincial jail for not more than ten days.

SEC. 84. All fines collected under this section shall be deposited in the Insular Treasury.

SEC. 85. If an officer or soldier in time of peace habitually absents himself for the space of four months, from all drills or parades of the organization to which he belongs, he may be considered a deserter and so reported to the adjutant-general through the regular military channels.

SEC. 86. Any officer or enlisted man of the National Guard who shall willfully absent himself from his command, or fail to report to his commanding officer for duty, when his company or battery is engaged or called into active service, pursuant to the law, for the suppression of riot or insurrection, or the protection and preservation of persons and property, shall be deemed guilty of desertion, and, upon conviction by court-martial, and the approval of the Commander in Chief of the findings thereof, shall be imprisoned in the provincial or city jail wherein his organization is permanently stationed, for such period of time, not exceeding six months, as a court-martial may direct, and shall be dishonorably discharged. A warrant of commitment, signed by the president and judge-advocate of said court, accompanied by a certified copy of the findings of said court, as approved by the

Governor-General, shall be sufficient authority to the sheriff of the province or city to imprison such convicted man.

SEC. 87. It shall be the duty of the provincial fiscal of the province wherein such convicted person shall be imprisoned to resist before the courts any application for a writ of habeas corpus that may be prosecuted by persons convicted and sentenced under this Act.

SEC. 88. The Commander in Chief may detail a board consisting of three officers to proceed to the United States ' and ascertain from the President and the Congress what requirements must be satisfied so that the National Guard may be entitled to the support given by the Government of the United States to the National Guard in the different states and territories as provided in an Act of Congress for "making further and more effective provisions for the national defense and for other purposes," approved June third, nineteen hundred and sixteen. Each officer of said board shall have a right to his actual traveling expenses, including his subsistence, while traveling on duty, and an additional allowance of twenty pesos for each day of absence from the Philippine Islands by virtue of the order appointing him.

SEC. 89. The Governor-General may provide, under the rules and regulations to be prescribed by him with the advice of the Militia Commission, for the establishment in various convenient places of the country of instruction camps for reserve officers and may order the transfer of said instruction camps from one place to another as may be most convenient.

SEC. 90. The Militia Commission is hereby authorized and directed to investigate the possibility and convenience of establishing in the Philippine Islands a system of compulsory military service and of organizing a naval militia. In the fulfillment of its duties said Commission shall have the power to issue subpoenas and subpoenas duces tecum, to obtain the necessary assistance from any employee of the Government of the Philippine Islands, and to seek the technical advice which it considers indispensable, and shall report to the Philippine Legislature as soon as possible.

SEC. 91. The Governor-General is authorized to detail for special duty as inspectors with the National Guard such officers of the Philippine Constabulary as he may require. Officers so detailed shall have the rank of captain in the National Guard while serving therewith.

SEC. 92. The Governor-General is authorized to request the Secretary of War for the detail of officers of the Regular Army of the United States for duty with the National Guard, and is further authorized to assign such officers when detailed to whatever duty or command in the National Guard that he may designate. Officers so detailed and assigned shall be given the rank of the officer to whose duty they may be assigned and be paid a per diem of ten pesos from the annual appropriation for the National Guard.

SEC. 93. When in actual service for the suppression of riots and the enforcement of the laws, and when on duty under orders of the Commander in Chief, officers and enlisted men of the National Guard shall receive, in addition to reimbursement for transportation and subsistence, a pay which shall not exceed the following annual salaries, according to their respective ranks and categories, and which shall be fixed by rules and regulations by the Governor-General with the advice of the Militia Commission:

Major general

P6,000.00

Brigadier general

4,800.00

Colonel	
3,600.00	
Lieutenant-colonel	
3,000.00	
Major	
2,400.00	
Captain	
2,100.00	
First lieutenant	
1,500.00	
Second lieutenant	
1,200.00	
Sergeant-major	
480.00	
First sergeant	
360.00	
Sergeant	
300.00	
Corporal	
216.00	
First-class private	
180.00	
Privates	
144.00	

The payment shall be made according to the scale so fixed and proportionately to the number of days of service actually rendered.

SEC. 94. The officers shall receive one-half the pay provided in the preceding section, and the enlisted men shall receive one peso for each day's service with transportation and necessary subsistence at any encampment or field maneuver authorized by law, or other military duty not specified in the preceding section, ordered by the Commander in Chief, for the purpose and in the manner herein provided: Provided, That nothing in this Act shall be construed as to allow pay to officers and men for more than twelve days in any one year, except during a time of riot, insurrection, or invasion, or while on duty under orders of the Commander in Chief, in which case they shall receive the pay provided in the preceding section during the time in excess of the said twelve days.

SEC. 95. For each day's duty, when under orders from the Commander in Chief, or as a witness or a defendant under summons from the president or judge-advocate of a court-martial, officers and men shall be paid as herein before provided in the preceding section.

SEC. 96. When militia men, in the fulfillment of their duties or in consequence thereof, lose their health in a permanent manner, or their lives, they or their families shall have the right to demand assistance from the Government of the Philippine Islands, if they are without means.

SEC. 97. The provisions of article four, chapter thirty-two, sections one thousand and ninety-one to eleven hundred and nineteen, inclusive, of the Administrative Code of the Philippine Islands, relating to the keeping of firearms, shall not apply to the National Guard.

SEC. 98. The organization of the militia as herein provided shall commence when the Governor-General so directs by executive order and said organization may be total or partial, according as the public interest so demands.

SEC. 99. The following sums, or so much thereof as may be respectively necessary, are hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, in compensation of the service of the National Militia for the fiscal year ending December thirty-first, nineteen hundred and seventeen, unless otherwise stated:

For rent of office, of armories, light, water and power, and janitor service.....

P98,000.00

For camp and garrison equipage, clothing, and other equipment

375,000.00

For pay of officers and troops for camp duty and other duties ordered by the Commander in Chief

40,000.00

For transportation of officers and troops

52,000.00

For subsistence of troops at camp of instruction, practice march, or other duty ordered by the Commander in Chief

10,000.00

For horse hire and maintenance.

1,000.00

For target practice, including rent or acquisition, construction, and maintenance of adequate target ranges

10,000.00

For the establishment, maintenance and transfer of camps of instruction for reserve officers.....

30,000.00

For pay of officers, and enlisted men and civil employees: Provided, That the plan and salary of the civil personnel of the militia shall be fixed by the Militia Commission with the approval of the Governor-General until the Legislature disposes otherwise

100,000.00

For miscellaneous expenses of the board of officers and of the Militia Commission authorized by this Act

40,000.00

Total of appropriations authorized by this Act

756,000.00

SEC. 100. The appropriation authorized by this Act shall not be entered in the Auditor's books until the Governor-General so orders, and no part of said appropriation shall be expended without the approval of said Governor-General, after consulting the Militia Commission.

SEC. 101. The Governor-General shall inform the Philippine Legislature in detail of the steps taken, including disbursement of funds, to carry into effect the provisions of this Act.

SEC. 102. All Acts and parts of Acts in conflict herewith are hereby repealed.

SEC. 103. This Act shall take effect on its approval.

Approved, March 17, 1917.

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