the maintenance of a safe channel through the draw spaces as they are
arranged, pending the construction of the permanent bridge, shall be
at once built and maintained until they shall be no longer necessary."

Approved, April 21, 1898.

CHAP. 186.—An Act To make Knoxville, Tennessee, a port of delivery, and to
create the office of surveyor of customs.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That Knoxville, in the State
of Tennessee, be, and is hereby, constituted a port of delivery in the
customs collection district of New Orleans, and the privileges of the
seventh section of the Act approved June tenth, eighteen hundred
and eighty, governing the immediate transportation of dutiable merchan-
dise without appraisement be, and the same are hereby, extended to
said port; and there shall be appointed one surveyor of customs to
reside at said port, who shall receive a salary of three hundred and
fifty dollars per annum, with the usual fees and commissions.

Approved, April 21, 1898.

CHAP. 187.—An Act To provide for temporarily increasing the military estab-
ishment of the United States in time of war, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That all able-bodied male citi-
zens of the United States, and persons of foreign birth who shall have
declared their intention to become citizens of the United States under
and in pursuance of the laws thereof, between the ages of eighteen and
forty-five years, are hereby declared to constitute the national forces,
and, with such exceptions and under such conditions as may be pre-
scribed by law, shall be liable to perform military duty in the service
of the United States.

SEC. 2. That the organized and active land forces of the United
States shall consist of the Army of the United States and of the militia
of the several States when called into the service of the United States:
Provided, That in time of war the Army shall consist of two branches
which shall be designated, respectively, as the Regular Army and the
Volunteer Army of the United States.

SEC. 3. That the Regular Army is the permanent military establish-
ment, which is maintained both in peace and war according to law.

SEC. 4. That the Volunteer Army shall be maintained only during
the existence of war, or while war is imminent, and shall be raised and
organized, as in this Act provided, only after Congress has or shall have
authorized the President to raise such a force or to call into the actual
service of the United States the militia of the several States: Provided,
That all enlistments for the Volunteer Army shall be for a term of two
years, unless sooner terminated, and that all officers and men compos-
ing said army shall be discharged from the service of the United States
when the purposes for which they were called into service shall have
been accomplished, or on the conclusion of hostilities.

SEC. 5. That when it becomes necessary to raise a volunteer army
the President shall issue his proclamation stating the number of men
desired, within such limits as may be fixed by law, and the Secretary
of War shall prescribe such rules and regulations, not inconsistent
with the terms of this Act, as may in his judgment be necessary for
the purpose of examining, organizing, and receiving into service the
men called for: Provided, That all men received into service in the
Volunteer Army shall, as far as practicable, be taken from the several
States and Territories and the District of Columbia and the Indian
Companies, etc., from Indian Territory.

Regular Army, regulations, etc., to govern.

Provisos.

Sec. 6. That the Volunteer Army and the militia of the States when called into the service of the United States shall be organized under, and shall be subject to, the laws, orders, and regulations governing the Regular Army: Provided, That each regiment of the Volunteer Army shall have one surgeon, two assistant surgeons, and one chaplain, and that all the regimental and company officers shall be appointed by the governors of the States in which their respective organizations are raised: Provided further, That when the members of any company, troop, battery, battalion or regiment of the organized militia of any State shall enlist in the Volunteer Army in a body, as such company, troop, battery, battalion or regiment, the regimental, company, troop, battery and battalion officers in service with the militia organization thus enlisting may be appointed by the governors of the States and Territories, and shall when so appointed be officers of corresponding grades in the same organization when it shall have been received into the service of the United States as a part of the Volunteer Army: Provided further, That the President may authorize the Secretary of War to organize companies, troops, battalions, or regiments, possessing special qualifications, from the nation at large not to exceed three thousand men, under such rules and regulations, including the appointment of the officers thereof, as may be prescribed by the Secretary of War.

Sec. 7. That all organizations of the Volunteer Army shall be so recruited from time to time as to maintain them as near to their maximum strength as the President may deem necessary, and no new organization shall be accepted into service from any State unless the organizations already in service from such State are as near to their maximum strength of officers and enlisted men as the President may deem necessary.

Sec. 8. That all returns and muster rolls of organizations of the Volunteer Army 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 disbandment of such organizations the records pertaining to them shall be transferred to and filed in the Record and Pension Office of the War Department. And Regimental and all other Medical officers serving with volunteer troops 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 with the Record and Pension office as provided herein, for other reports, returns and muster rolls.

Sec. 9. That in time of war, or when war is imminent, the troops in the service of the United States, whether belonging to the Regular or Volunteer Army or to the militia, shall be organized, as far as practicable, into divisions of three brigades, each brigade to be composed of three or more regiments; and whenever three or more divisions are assembled in the same army the President is authorized to organize them into army corps, each corps to consist of not more than three divisions.

Sec. 10. That the staff of the commander of an army corps shall consist of one assistant adjutant-general, one chief engineer, one inspector-general, one chief quartermaster, one chief commissary of subsistence, one Judge Advocate, and one chief surgeon, who shall have, respectively, the rank of lieutenant-colonel; one assistant adjutant-general, who shall have the rank of captain, and the aids-de-camp authorized by law. The staff of the commander of a division shall consist of one assistant adjutant-general, one engineer officer, one inspector-general, one chief quartermaster, one chief commissary of subsistence, and one chief surgeon, who shall have, respectively, the rank of major, and the aids-de-camp authorized by law. The staff of the commander of a
brigade shall consist of one assistant adjutant-general, one assistant quartermaster, and one commissary of subsistence, each with the rank of captain, one surgeon, and the aids-de-camp authorized by law. The staff officers herein authorized for the corps, division, and brigade commanders may be appointed by the President, by and with the advice and consent of the Senate, as officers of the Volunteer Army, or may be assigned by him, in his discretion, from officers of the Regular Army or the Volunteer Army, or of the militia in the service of the United States: Provided, That when relieved from such staff service said appointments or assignments shall terminate.

SEC. 11. That the President is hereby authorized to appoint in the Volunteer Army, by and with the advice and consent of the Senate, not exceeding one major-general for each organized army corps and division, and one brigadier-general for each brigade, and any officer so selected and appointed from the Regular Army shall be entitled to retain his rank therein: Provided, That each general officer of the Volunteer Army shall be entitled to the number of aids-de-camp authorized for an officer of like grade in the Regular Army.

SEC. 12. That all officers and enlisted men of the Volunteer Army, and of the militia of the States when in the service of the United States, shall be in all respects on the same footing as to pay, allowances, and pensions as that of officers and enlisted men of corresponding grades in the Regular Army.

SEC. 13. That the governor of any State or Territory may, with the consent of the President, appoint officers of the Regular Army in the grades of field officers in organizations of the Volunteer Army, and officers thus appointed shall be entitled to retain their rank in the Regular Army: Provided, That not more than one officer of the Regular Army shall hold a commission in any one regiment of the Volunteer Army at the same time.

SEC. 14. That the general commanding a separate department or a detached army is authorized to appoint from time to time military boards of not less than three nor more than five Volunteer officers of the Volunteer Army to examine into the capacity, qualifications, conduct, and efficiency of any commissioned officer of said army within his command: Provided, That each member of the board shall be superior in rank to the officer whose qualifications are to be inquired into: And provided further, That if the report of such a board is adverse to the continuance of any officer, and the report be approved by the President, such officer shall be discharged from service in the Volunteer Army, at the discretion of the President, with one month's pay and allowances.

SEC. 15. That all Acts and parts of Acts inconsistent with the provisions hereof be, and the same are hereby, repealed.

Approved, April 22, 1898.

CHAP. 188.—An Act To amend an Act entitled “An Act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Michigan, between the villages of Houghton and Hancock,” approved March third, eighteen hundred and ninety-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled “An Act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Michigan, between the villages of Houghton and Hancock,” approved March third, eighteen hundred and ninety-one, be, and the same is hereby, amended by adding a new section, to stand as section seven, as follows:

“SEC. 7. That all railroad companies desiring to use that portion of said bridge constructed for railroad purposes shall have and be entitled to equal rights and privileges in the passing over the same, and in the use of the machinery and fixtures thereof and of the approaches thereto, for a reasonable compensation, to be paid to the owner or owners thereof;