

1916, ch. 311, sec. 31.

29. Commissions of officers may be vacated upon resignation, absence without leave for three months, upon the recommendation of an efficiency board, or pursuant to sentence of a court-martial, or upon the mustering out or disbandment of his organization.

1916, ch. 311, sec. 32.

30. A commissioned officer tendering his resignation before having served five years, if the Governor shall accept it, shall receive an honorable discharge. If he has served five years or more he shall receive a full and honorable discharge, provided he shall not be under arrest or return to a military court for any deficiency or delinquency; and, provided further, he be not indebted to the State in any manner, and that his accounts for money or for public property be correct. In computing the time served, service as an enlisted man shall be allowed, and the service is not required to be continuous. If the Governor accept the resignation of an officer who at the time shall be under arrest, under charges, or returned to a military court for any offense, deficiency or delinquency, such officer shall then cease to be an officer of the National Guard, and shall receive a discharge in such form as the Governor shall direct; nor shall he again be eligible to receive a commission unless he first re-enlist as provided in this Article in the case of men dishonorably discharged, and until he shall have performed at least sixty per cent of duty in each year under such enlistment for two successive years.

1916, ch. 311, sec. 33.

31. The Governor may prescribe rules and regulations which will govern the organization of an officers' reserve corps for this State, which shall be composed of former officers of the Regular Army, Marine Corps, Navy, National Guard, former non-commissioned officers of the Regular Army, National Guard, and graduates from military departments of institutions where regular officers are detailed as instructors: Provided: That in time of peace, when the National Guard participates at encampments, maneuvers, or other exercises for field or coast defense instruction, officers of the reserve list of appropriate rank may, at the discretion of the Governor, be assigned to duty with organizations to fill the places of officers who may be absent therefrom, and when so assigned they shall be entitled to the same pay and allowances as members of the National Guard of similar grades: Provided further, That the officers' reserve corps shall constitute a part of the National Guard, and the members thereof shall be subject to being called into the service of the United States or being ordered into active service as a part of the Army of the United States for the purpose of filling vacancies in the commissioned personnel therein.*

*The act of 1916, chapter 660, authorizes the Governor to commission the members of the faculty of St. John's College as officers in the national guard.