

1916, ch. 311, sec. 42.

40. No man above the age of forty-five shall be re-enlisted except by permission of the commanding officer of the brigade or naval brigade and upon the recommendation of his company or division commander.

1916, ch. 311, sec. 43.

41. An enlisted man who shall remove 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, cannot be found, or who shall be convicted of a crime, or who shall be expelled from his organization in accordance with the by-laws lawfully adopted, shall be discharged upon the request of his commanding officer by order of the Commander-in-Chief.

1916, ch. 311, sec. 44.

42. An enlisted man discharged by reason of removal, upon re-enlistment at any time after his original enlistment in his former or any other organization, obtaining in the latter case first the permission of his former commanding officer, approved by the Commander-in-Chief, shall receive credit for the time before such discharge.

1916, ch. 311, sec. 45.

43. That an enlisted man discharged from service shall receive a discharge in writing in such form and with such classification as is prescribed for the Regular Army, and in time of peace discharges may be given prior to the expiration of terms of enlistment upon the permanent removal of a soldier beyond the limits of the organization to which he belongs; because of his engagement in business such as precludes him from properly performing his military duties; upon certificate of a medical officer or reputable physician that he has become permanently incapacitated for military service; and for such other reasons as may be provided for by the laws of this State and of the United States.

1916, ch. 311, sec. 46.

44. Enlisted men may be transferred, in the same organization by the commanding officers of such organizations; from one organization to another, by a commanding officer of the Brigade; or from the Brigade to the Naval Brigade, or vice versa, by the Commander-in-Chief. All such transfers to be approved by the commanding officers of the respective organizations.

1916, ch. 311, sec. 47.

45. An enlisted man who has not returned all the public property for which he is responsible shall under no circumstances receive a full and honorable discharge. A discharge or an honorable discharge, at the discretion of the officer discharging him, shall be granted to the following: A noncommissioned staff officer or a noncommissioned officer who, had he not been enlisted as such, would be reduced to the ranks;