

Section XXIII. At any time upon the report of and recommendation of the Brigade Commander, that any company or separate organization is not up to the proper standard of numbers (minimum of forty), efficiency or discipline, the Commander-in-Chief may, in his discretion, muster out of service such company or separate organization so reported inefficient, and thereupon the commissions of all the officers of such company or separate organization shall be vacated; and at any time upon the report and recommendation of the Adjutant General, after an inspection by him ordered or made of any division of the Naval Brigade, that such division so inspected is not up to the proper standard of efficiency or discipline, the Commander-in-Chief may, in his discretion, muster out of the service such division so reported inefficient, and thereupon the commissions of all officers of such division shall be vacated.

Section XXIV. That thereafter commissioned officers of the National Guard shall be selected from the following classes and none other: First, officers or enlisted men of the National Guard recommended by the commanding officers of their several independent battalions, regiments, and higher units; second, officers on the reserve or unassigned list of the National Guard; third, officers, active or retired, and ex-officers of the United States Army, Navy, and Marine Corps; and, fourth, graduates of the United States Military and Naval Academies and graduates of schools, colleges, and universities where military science is taught under the supervision of an officer of the Regular Army:

Provided, that officers of corps, departments and independent companies and the commanding officers of independent battalions and of regiments shall be appointed upon the recommendation of the Commander of the Brigade to which they are attached, and provided, that Brigadier-Generals shall be appointed upon the recommendation of the field officers of their respective brigades, and provided further that no person shall be commissioned unless he possesses the additional requirements herein prescribed for the particular office to which he is to be commissioned. A Brigadier-General and a Colonel of a Regiment at the time of his appointment must be an officer in the National Guard of this State, of the grade of field officer, or have been in active service in the Army or Marine Corps of the United States as a field officer. A Lieutenant-Colonel and Major of the line at the time of his appointment must be an officer in active service, and for two successive years imme-