

It shall be unlawful for any person to misstate his age for the purpose of securing enlistment in the militia of this State. It shall be unlawful for any person to enlist in two military organizations at the same time. Any person violating the provisions of this section shall be guilty of fraudulent enlistment.

Section XLI. That hereafter the period of enlistment of enlisted men in the National Guard shall be for three years, or such period as may be required by the laws of the United States, and they shall be subject to the same qualifications as are now or may hereafter be subscribed for admission to the Regular Army.

Section XLII. 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.

Section XLIII. 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.

Section XLIV. 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.

Section XLV. 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.