

for the good of the service, after giving him ten days' notice of such application and an opportunity to be heard in defence of his conduct; but if an enlisted man has been absent without leave for three months, and his whereabouts unknown so that notice cannot be served on him, he may be discharged without honor upon request of his commanding officer without notice.

The discharge mentioned above shall be granted by order of the Commander-in-Chief, except that caused by expiration of enlistment; this discharge shall be granted by the commanding officer of the regiment, in case of signal corps, troop, battery, division or separate company by the commanding officer of the brigade. Enlisted men may be dishonorably discharged pursuant to the sentence of a general court-martial. This section shall be construed to apply to the Naval Brigade also.

Section XLVIII. Any enlisted man of the National Guard who has attained the age of sixty-four years may be placed upon the retired list by the Governor. Any enlisted man who shall have served in the National Guard of the State for fifteen years continuously may, upon his own request, be placed upon the retired list and withdrawn from active service by the Governor. Such retired enlisted men shall be available for active service at any time, at the discretion of the Governor and Commander-in-Chief, but such retired enlisted men shall not be entitled to have any uniform or equipment belonging to the State or United States, except when on active duty.

Section XLIX. For all purposes under this Act officers and enlisted men of the active militia who entered the United States service in the Spanish-American War shall, on entering the active militia, be entitled to credit for time served in the forces in the United States in that war as if his service had been rendered in the active militia.

Section L. That an enlisted reserve corps of the National Guard shall be organized in this State to consist of honorably discharged enlisted men of the Army, Navy, Marine Corps of the United States and honorably discharged enlisted men of the National Guard of the several States, Territories, and the District of Columbia who have served with record "good" or better for a period equal to one full enlistment, and civilians of foreign birth who have had experience in actual wars and been honorably discharged from service in their respective armies. Such reserve shall in time of peace not exceed in numbers the difference between the number of enlisted men of