

# MAINE STATE LEGISLATURE

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NEW DRAFT

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 359

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House of Representatives, March 7, 1919.

Reported by Mr. Berry from Committee on Military Affairs  
and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

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STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND NINETEEN

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AN ACT to Provide for a Draft, when Necessary, to Main-  
tain the Minimum Number Required by Law for Organiza-  
tions of the National Guard in Time of Peace.

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Be it enacted by the People of the State of Maine, as follows:

Section 1. If in time of peace any company, troop, bat-  
2 tery or detachment of the National Guard shall have failed  
3 by voluntary enlistment to obtain the minimum strength  
4 required by the laws of the United States, the command-  
5 ing officer of such company, troop, battery or detachment  
6 shall report to the adjutant general the number of enlisted  
7 men required and in addition a number equal to the loss  
8 expected during the succeeding three months, of enlisted  
9 men whose terms of active service expire during that period

10 and who have signified their intention of not continuing  
11 in active service or re-enlisting. The adjutant general  
12 shall, upon receipt of such report, inform the governor of  
13 the facts, and the governor shall then draft from the un-  
14 organized militia of the town or city where such company,  
15 troop, battery or detachment is located, or from adjacent  
16 towns or cities, the number of men required to maintain  
17 such minimum strength, and in addition such number as  
18 he may deem necessary to allow for possible rejections.  
19 Such drafts shall be made by order directed to the select-  
20 men of the town or the mayor of the city where such com-  
21 pany, troop, battery or detachment is located, or to the  
22 selectmen of adjacent towns or the mayors of adjacent  
23 cities, who shall, within five days, transmit to the adjutant  
24 general a list containing the names of all persons in such  
25 towns or cities between the ages of eighteen and thirty  
26 who are unmarried, and who are subject by law to military  
27 enrolment. The adjutant general or some officer detailed  
28 by him shall prepare slips upon which shall be placed  
29 the names of all persons on such list and within five days  
30 after the receipt of such list, the adjutant general or some  
31 officer detailed by him shall, in the presence of one of  
32 the selectmen or some other official of such towns or the  
33 mayors or other officials of such cities, place such slips  
34 in a box and draw therefrom the number required by said  
35 draft. All men whose names are so drawn shall be ordered  
36 by the adjutant general to report to the commanding offi-

37 cer of such company, troop, battery or detachment, at a  
38 certain time and place and submit to the necessary physi-  
39 cal examination. Such orders shall be, in writing and a  
40 copy thereof shall be served upon each man so drafted, by  
41 a sheriff, other proper officer, or indifferent person, at least  
42 six days before the time designated for reporting to such  
43 commanding officer. From those who have passed such  
44 physical examination, a sufficient number of names shall  
45 be selected to fill all vacancies existing or expected at the  
46 date of draft, the method of selection being the same as  
47 hereinbefore provided, except that the adjutant general  
48 shall be represented by the commanding officer of the com-  
49 pany, troop, battery or detachment concerned and the  
50 drawing shall be made in the presence of those present sub-  
51 ject to draft. All men so selected who do not volunteer  
52 to enlist shall thereupon be enrolled as members of the  
53 national guard for a period of one enlistment. All men  
54 so enrolled shall be considered as regularly enlisted and  
55 shall be subject to all laws, regulations and discipline gov-  
56 erning the national guard. Any person so drafted, in any  
57 order to report, as hereinbefore provided, who, having been  
58 personally served with a copy of such order, shall fail to  
59 appear at the time and place designated by such order or  
60 who shall fail to present to such commanding officer a  
61 sworn certificate from a physician in good standing, of  
62 physical disability, shall be fined not less than ten nor more  
63 than fifty dollars for each day he shall fail to appear. The

64 courts of this state shall have jurisdiction of all prosecu-  
65 tions under the provisions of this section.

Provided: That all men having an honorable record of  
2 prior service in the United States Army, Navy or Marine  
3 Corps, or in the National Guard of the United States may  
4 be exempt from compulsory service under the provisions of  
5 this act.