

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

SENATE

NO. 42

In Senate, Jan. 30, 1919.

Referred to Committee on Military Affairs and 500 copies ordered printed. Sent down for concurrence.

P. F. CRANE, Secretary.

Presented by Senator Gurney of Cumberland.

STATE OF MAINE

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

AN ACT to provide for a draft, when necessary, to maintain the minimum number required by law for organizations of the National Guard in time of peace.

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

If in time of peace any company, troop, battery or detachment of the national guard shall have failed by voluntary enlistment to obtain the minimum strength required by the laws of the United States, the commanding officer of such company, troop, battery or deatchment shall report to the adjutant general the number of enlisted men required and in addition a number equal to the loss expected during the succeeding three months, of enlisted men whose terms of active service expire during that period and who have signified their

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

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