

an enlisted man at his own request, provided he assigns sufficient and valid reason for such request; an enlisted man who by reason of disability is no longer able to perform his military duties properly; an enlisted man who, by the reduction of his regiment, battalions or company has become surplus, or whose signal corps, troop, battery or company shall be disbanded, provided he is not entitled at the time to a full and honorable discharge; an enlisted man who has served the time for which he is enlisted or re-enlisted, and is not entitled to a full and honorable discharge. A full and honorable discharge shall be granted to the following: An enlisted man who shall have performed in each year at least sixty per cent. of the duty his signal corps, troop, battery, company, division, battalion or regiment has been required by law and orders to perform during his term of enlistment or re-enlistment, or during his total service, in case the same has been extended beyond the term for which he has enlisted; an enlisted man who fails to perform sixty per cent. of his duty during any year of his service may continue in the service, at the option of his Commanding officer, and make up such deficiency; an enlisted man who continues in service after the expiration of his term of enlistment or re-enlistment shall, in case he desires a discharge, give fifteen days' notice of application therefor to the officer authorized to grant the same, and such officer may, in his discretion, grant such a discharge forthwith, or hold the same until the expiration of said fifteen days. An enlisted man shall be held for service until his discharge is granted and issued. Discharges without honor shall be given to the following: An enlisted man whose immediate commander applies to have him discharged 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.

1916, ch. 311, sec. 48.

**46.** 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