

Selective Conscription Law

(Continued from Page 6.)

ulation bears to the total population of the United States.

The President is hereby authorized, in his discretion, to create and establish throughout the several states and subdivisions thereof and in the territories and the District of Columbia, local boards, and where, in his discretion, practicable and desirable, there shall be created and established one such local board in each county or similar subdivision in each state, and one for approximately each 30,000 of population in each city of 30,000 population or over, according to the last census taken or estimates furnished by the bureau of census of the department of commerce. Such boards shall be appointed by the President, and shall consist of three or more members, none of whom shall be connected with the military establishment, to be chosen from among the local authorities of such subdivisions or from other citizens residing in the subdivision or area in which the respective boards will have jurisdiction under the rules and regulations prescribed by the President. Such boards shall have power within their respective jurisdictions to hear and determine, subject to review as hereinafter provided, all questions of exemption under this act, and all questions or claims for including or discharging individuals or classes of individuals from the selective draft, which shall be made under rules and regulations prescribed by the President, except any and every question or claim for including or excluding or discharging persons or classes of

persons from the selective draft under the provisions of this act authorizing the President to exclude or discharge from the selective draft "persons engaged in industries, including agriculture, found to be necessary to the maintenance of the military establishment, or the effective operation of the military forces, or to the maintenance of national interest during the emergency."

The President is hereby authorized to establish additional boards, one in each federal judicial district of the United States, consisting of such number of citizens, not connected with the military establishment, as the President may determine, who shall be appointed by the President. The President is hereby authorized, in his discretion, to establish more than one such board in any federal judicial district of the United States, or to establish one such board having jurisdiction of an area extending into more than one federal judicial district.

Such district boards shall review on appeal and affirm, modify or reverse any decision of any local board having jurisdiction in the area in which any such district board has jurisdiction, under the rules and regulations prescribed by the President. Such district boards shall have exclusive original jurisdiction within their respective areas to hear and determine all questions or claims for including or excluding or discharging persons or classes of persons from the selective draft, under the provisions of this act, not included within the original jurisdiction of such local boards.

The decisions of such district boards shall be final except that, in accordance with such rules and regulations as the President may prescribe, he may affirm, modify or reverse any such decision.

Any vacancy in any such local board or district board shall be filled by the President, and any member of any such local board or district board may be removed and another appointed in his place by the President, whenever he considers that the interest of the nation demands it.

The President shall make rules and regulations governing the organization and procedure of such local boards and district boards, and providing for and governing appeals from such local boards to such district boards, and reviews of the decisions of any local board by the district board having jurisdiction, and determining and prescribing the several areas in which the respective local boards and district boards shall have jurisdiction, and all other rules and regulations necessary to carry out the terms and provisions of this section, and shall provide for the issuance of certificates of exemption, or partial or limited exemptions, and for a system to exclude and discharge individuals from selective draft.

Section 5. That all male persons between the ages of 21 and 30, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President; and upon proclamation by the President or other public notice given by him or by his direction stating the time and place of such registration it shall be the duty of all persons of the designated ages, except officers and enlisted men of the regular army, the navy, and the national guard and naval militia while in the service of the United

States, to present themselves for and submit to registration under the provisions of this act; and every such person shall be deemed to have notice of the requirements of this act upon the publication of said proclamation or other notice as aforesaid given by the President or by his direction, and any person who shall wilfully fail or refuse to present himself for registration or to submit thereto as herein provided shall be guilty of a misdemeanor and shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, and shall thereupon be duly registered; provided, that in the call of the docket precedence shall be given, in courts trying the same, to the trial of criminal proceedings under this act; provided further, that persons shall be subject to registration as herein provided who shall have attained their twenty-first birthday and who shall not have attained their thirty-first birthday on or before the day set for the registration, and all persons so registered shall be and remain subject to draft into the forces hereby authorized, unless exempted or excused therefrom as in this act provided; provided further, that in the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein such registration may be made by mail under regulations to be prescribed by the President.

Section 6. That the President is hereby authorized to utilize the service of any or all departments and any or all officers or agents of the United States and of the several states, territories and the District of Columbia, and subdivisions thereof, in the execution of this act, and all officers and agents of the United States and of the several states, territories and subdivisions thereof, and of the District of Columbia, and all persons designated or appointed under regulations prescribed by the President, whether such appointments are made by the President himself or by the governor or other officer of any state or territory to perform any duty in the execution of this act, are hereby required to perform such duty as the President shall order or direct, and all such officers and agents and persons so designated or appointed shall hereby have full authority for all acts done by them in the execution of this act by the direction of the President. Correspondence in the execution of this act may be carried in penalty envelopes bearing the frank of the war department. Any person charged as herein provided with the duty of carrying into effect any of the provisions of this act or the regulations, made or directions given thereunder who shall fail or neglect to perform such duty; and any person charged with such duty or having and exercising any authority under said act, regulations or directions, who shall knowingly make or be a party to the making of any false or incorrect registration, physical examination, exemption, enlistment, enrolment, or muster any person who shall make or be a party to the making of any false statement or certificate as to the fitness or liability of himself or any other person for military service under the provisions of this act, or regulations made by the President thereunder, or otherwise evades or aids another to evade the requirements of this act or of said regulations, or who in any manner shall fail or neglect fully to perform any duty required of him in the ex-

ecution of this act, shall, if not subject to military law, be guilty of a misdemeanor, and upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, or, if subject to military law, shall be tried by court martial and suffer such punishment as a court martial may direct.

Section 7. That the qualifications and conditions for voluntary enlistment as herein provided shall be the same as those prescribed by existing law for enlistments in the regular army, except that recruits must be between the ages of 18 and 40 years, both inclusive, at the time of their enlistment; and such enlistments shall be for the period of the emergency unless sooner discharged. All enlistments, including those in the regular army reserve, which are in force on the date of the approval of this act and which would terminate in force during the emergency unless sooner discharged; but nothing herein contained shall be construed to shorten the period of any existing enlistment, provided, that all persons enlisted or drafted under any of the provisions of this act shall as far as practicable be grouped into units by states and the political subdivisions of the same; provided further, that all persons who have enlisted since April 1, 1917 either in the regular army or in the national guard, and all persons who have enlisted in the national guard since June 3, 1916, upon their application, shall be discharged upon the termination of the existing emergency.

The President may provide for the discharge of any or all enlisted men whose status with respect to dependents renders such discharge advisable; and he may also authorize the employment on any active duty of retired enlisted men of the regular army, either with their rank on the retired list, or in higher enlisted grades, and such retired enlisted men shall receive the full pay and allowances of the grades in which they are actively employed.

Section 8. That the President, by and with the advice and consent of the senate, is authorized to appoint for the period of the existing emergency such general officers of appropriate grades as may be necessary for duty with brigades, divisions and higher units in which the forces provided for herein may be organized by the President, and general officers of appropriate grade for the several coast artillery districts. Insofar as such appointments may be made from any of the forces herein provided for, the appointees may be selected irrespective of the grades held by them in such forces. Vacancies in all grades in the regular army resulting from the appointment of officers thereof to higher grades in the forces other than the regular army herein provided for shall be filled by temporary promotions and appointments in the manner prescribed for filling temporary vacancies by section 114 of the national defense act approved June 3, 1916; and officers appointed under the provisions of this act to higher grades in the forces other than the regular army herein provided for shall not vacate their permanent commissions nor be prejudiced in their relative or lineal standing in the regular army.

Section 9. That the appointments authorized and made as provided by the second, third, fourth, fifth, sixth and seventh paragraphs of section 1 and by section 8 of this act, and the temporary appointments in the regular army authorized by the first paragraph of section 1 of this act,



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