

may be, and if offered shall be accepted and entered on Sunday by the person or official authorized by law to take such bail.

Repeal of inconsistent acts.

Section 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 24th day of March, A. D. 1937.

GEORGE H. EARLE

No. 34

AN ACT

Providing for the organization, government, discipline, maintenance, and regulation of an additional land force to be known as the Pennsylvania Reserve Militia, for the defense of the Commonwealth during any war in which the United States may be engaged.

Pennsylvania Reserve Militia

Section 1. Be it enacted, &c., That—Organization of Reserve Militia—whenever the Pennsylvania National Guard shall be called into the service of the United States, or shall be ordered into the service of the United States during any war, thereupon and immediately thereafter the Governor of this Commonwealth, as Commander-in-Chief of the armed forces thereof, be, and he is hereby authorized and empowered to organize an armed land force, for the defense of the Commonwealth during said war, and for the defense of the civil population against aircraft and gas attack, which shall be known and designated as the Pennsylvania Reserve Militia, which force shall be available, at the discretion of the Governor, for active military duty whenever an invasion of or an insurrection in the State shall occur or is threatened, or a tumult, riot or disaster shall exist.

Section 2. Composition and Strength.—The Pennsylvania Reserve Militia shall consist of such divisions, brigades, regiments, battalions, companies, and similar organizations as may be required. The proportion of officers and noncommissioned officers in the various grades shall conform as closely as may be practicable to the Pennsylvania National Guard, as composed at the time of its call into service.

Section 3. Term of Service.—Whenever the Pennsylvania National Guard shall have been restored to State status and shall be enabled to resume its State organization, thereupon the term of service of the Pennsylvania Reserve Militia shall cease and determine, subject to the discretion of the Governor as to the time and manner in which the same shall be mustered out, which may be either as one whole body or by separate units.

Section 4. Location of Units; Armory Rentals.—The Governor shall designate the location of the several units

and may change the same at his discretion. Such units shall be located as far as practicable in armory buildings belonging to the Commonwealth.

Section 5. Oath of Commissioned Officers.—Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath: "I, . . . . ., do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the Governor of the State of Pennsylvania; that I make this obligation freely without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office . . . . . in the Pennsylvania Reserve Militia, upon which I am about to enter."

Section 6. Age and Physical Requirements.—The Governor may by executive order prescribe, from time to time, the age limitations and physical qualifications which will govern the enlistments and commissions in the Pennsylvania Reserve Militia.

Section 7. Enlistment Contract and Oath.—Every man enlisting in the Pennsylvania Reserve Militia shall sign an enlistment contract, and take and subscribe to the following oath and enlistment: "I do hereby acknowledge to have voluntarily enlisted this . . . . ., 19. . . ., as a soldier in the Pennsylvania Reserve Militia for the period of the present war, unless sooner discharged by proper authority; and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania; and that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the Governor of the State of Pennsylvania and of the officers appointed over me, according to law and the rules and articles of war."

Section 8. Pay, Transportation, Annual Encampment.—The pay and transportation of officers and enlisted men for armory drills, active duty, and annual encampment shall be on the same basis as the Pennsylvania National Guard is paid in time of peace. The Governor may, in his discretion, provide for an annual encampment of not to exceed fifteen days training in any one year for the Reserve Militia.

Section 9. Annual Allowance.—The Adjutant General shall have full power and authority in his discretion to make such annual allowances to each organization and headquarters of organizations, as he may deem necessary, conforming generally to similar allowances made to the Pennsylvania National Guard in time of peace. Where an organization is in service for a frac-

tional part of the fiscal year, the allowance shall be reduced accordingly.

Section 10. Uniforms, Arms and Equipment.—The Pennsylvania Reserve Militia shall be uniformed, armed, and equipped at the cost of the Commonwealth payable out of appropriations made for that purpose. The initial issue of clothing, arms, equipment, and other stores shall not be charged against the allowances hereinbefore provided for. The uniform and equipment shall be such as may be prescribed by the Governor.

Section 11. Allowances for Uniforms, Arms, and Equipment of Officers.—Every commissioned officer shall furnish his own arms, uniform, and equipment. Upon presentation of the proper vouchers therefor and a report thereof, in such form as the Adjutant General may prescribe, he shall receive an allowance for such expenditures as may be authorized by the Adjutant General, and in conformance with similar allowances made to the Pennsylvania National Guard. The uniforms, arms, and equipment required shall be prescribed by the Adjutant General.

Section 12. National Guard Laws Generally to Apply.—All laws or sections of laws pertaining to the Pennsylvania National Guard shall be applicable and shall govern the Pennsylvania Reserve Militia, except as modified or changed by the preceding sections of this act.

Section 13. Constitutionality.—The provisions of this act are severable, and if any provision hereof shall be held to be unconstitutional, the decision so holding shall not be construed to affect any other provision of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been contained therein.

Section 14. Repeal.—The act approved the twenty-second day of June, one thousand nine hundred and seventeen (Pamphlet Laws, six hundred twenty-eight), entitled “An act providing for the organization, government, discipline, maintenance, and regulation of an additional armed land force, for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged,” is hereby repealed.

APPROVED—The 24th day of March, A. D. 1937.

GEORGE H. EARLE