

CHAPTER 191

UNORGANIZED MILITIA

<p>Sec. 191.01 Enumeration of persons subject to military duty; state census 191.02 Assessors to make lists of militiamen 191.03 Auditors to compile lists and forward to adjutant general</p>	<p>Sec. 191.04 Householder shall disclose names CALL OR DRAFT 191.05 Governor may call militia 191.06 Enlistment, period of 191.07 Deserter</p>
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ENROLLMENT

**191.01 ENUMERATION OF PERSONS SUBJECT TO MILITARY DUTY; STATE CENSUS.** When a state census is taken, each enumerator, in addition to his other duties, shall designate upon his return all persons enumerated by him who are subject to military duty under the Military Code. As soon as the returns are complete, the superintendent of the census shall make and certify to the adjutant general lists of the names, alphabetically arranged and consecutively numbered, of all persons so designated in each town, village and city, arranged by counties, and showing the age, occupation and address of each person. He shall accompany such lists with a table showing the number of enumerated militiamen in each town, village, city and county. The adjutant general shall prescribe blanks therefor. R191.01-138-44

[1921 c. 506 s. 6] (2400)

**191.02 ASSESSORS TO MAKE LISTS OF MILITIAMEN.** When the governor shall so direct by his proclamation issued in an even numbered year, and at least 30 days before the day the assessment books are required by law to be delivered to the assessors, all such assessors shall make upon blanks prescribed by the adjutant general, duplicate lists of the names, alphabetically arranged and consecutively numbered, of all militiamen living in their respective districts, with the age, occupation, and post-office address of each. One of these lists shall be filed with the county auditor and one with the clerk of the town, village, or city in which the assessor resides; and no compensation shall be allowed for any services of an assessor until he has filed with such clerk an affidavit showing full compliance on his part with the foregoing requirements. R191.02-108-44

[1921 c. 506 s. 7] (2401)

**191.03 AUDITORS TO COMPLETE LISTS AND FORWARD TO ADJUTANT GENERAL.** Each auditor shall add to the list so filed with him the names of all militiamen omitted, and erase the names of those shown to be improperly enrolled, giving notice of such changes to the proper clerks. On or before October 1st in such year, he shall transmit to the adjutant general a certified copy of the rolls so filed and corrected. In addition thereto, or in lieu thereof, the adjutant general may require of the auditor a statement showing the number so enrolled in each town, village, and city of his county. R191.03-108-44

[1921 c. 506 s. 8] (2402)

**191.04 HOUSEHOLDER SHALL DISCLOSE NAMES.** Every householder shall disclose, upon the application of assessors and enumerators authorized to make such enrollment, the names of all militiamen residing in his house; and every person, upon like application, shall give his name, age, and address. Every person who shall wilfully refuse such information, or give false answers to the proper inquiries of any such enrolling officer, and every enrolling officer who shall neglect any duty imposed by the Military Code, shall be deemed guilty of a misdemeanor. R191.04-108-44

[1921 c. 506 s. 9] (2403)

CALL OR DRAFT

**191.05 GOVERNOR MAY CALL MILITIA.** The governor, when he shall deem it necessary to call out the enrolled militia for military duty, may require the mayors of the several municipalities and the chairman of the several town boards to appoint R191.05-108-44

# MINNESOTA STATUTES 1941

## 191.06 UNORGANIZED MILITIA

1512

a time and place for the assembling of such militia; and they shall forthwith give notice, by public proclamation, or by written or oral notice to each person, of such assemblage. At the appointed time and place they shall accept volunteers to the number designated by the governor's order, supplying any deficiency by draft. The names of the militiamen so accepted or drafted shall be forwarded to the governor forthwith. The governor may prescribe and enforce uniform rules for the conduct of drafts, appoint all officers necessary therefor, and fix the amount of their pay, not exceeding the rate of pay prescribed for the national guard or volunteers in the federal service.

[1921 c. 506 s. 10] (2404)

*Amended 4/5-168-4*  
**191.06 ENLISTMENT, PERIOD OF.** The men whose names are so forwarded will be mustered at once into the service of the state for such period as the governor shall direct, not exceeding three years. They shall be organized as prescribed for existing organizations of the national guard. Such new organizations shall be officered, equipped, trained, and commanded according to the laws governing the national guard; provided, that the age limit for initial appointment as an officer shall not apply.

[1921 c. 506 s. 11; 1939 c. 175 s. 2] (2405)

*Amended 4/5-168-4*  
**191.07 DESERTER.** Every enrolled militiaman who fails, without reasonable excuse, to appear at the appointed time and place of assemblage, or being accepted as a volunteer or duly drafted, fails to report for muster as lawfully required, shall be considered and treated as a deserter.

[1921 c. 506 s. 12] (2406)