

Case of
invasion.

SEC. 12. *And be it enacted,* That whenever in case of any foreign invasion, of the city of Baltimore, the Baltimore City Guards shall be ordered into actual service as part of the militia of this state, the same shall form part of the third division of the Maryland militia, and the officers of the brigade be entitled to rank according to the date of their respective commissions, with the officers of the regular line, and the brigade be subject to the state militia laws during the time they are in such service.

Rank.

A SUPPLEMENT to the ACT establishing the Baltimore City Guards.
1835, ch. 107.

Proclama-
tion re-
quired be-
fore or-
dering to
fire, &c.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That before any officer of the Baltimore City Guards to whom any requisition or order shall be issued, requiring him to order out any portion of the said Guards under his command as may have been deemed necessary to prevent or suppress any insurrection or opposition to the laws, shall give his first command under any such requisition or order, to the Guards serving under him, to fire or charge upon any assemblage of persons, it shall be and is hereby made his duty to proclaim to such assemblage, his purpose to give such command, unless the persons constituting such assemblage on whom said charge or fire would be made, shall disperse within a time which he shall fix according to the exigency of the case, upon his own judgment, and first proclaim to said assemblage.

Case of ab-
sence of the
brigadier-
general.

SEC. 2. *And be it enacted,* That if the brigadier-general commanding the Baltimore City Guards shall be absent, or whenever the mayor of the city of Baltimore or any justice who might issue any requisition commanding him to order out any portion of the said Guards to prevent or suppress any insurrection or opposition to the laws, shall believe that said brigadier is absent from the said city or that the occasion demands a more immediate compliance with such requisition than could be had if the same were to be addressed to said brigadier, the said mayor or justice may issue his requisition in writing to any commissioned officer of the said Guards commanding him to order out the whole or such portion of said Guards under his command as the said mayor or justices may deem necessary for the occasion, and it shall be the duty of such commissioned officer to comply with every such requisition and also of the Guards under his command, to obey and execute the orders which he may and shall then lawfully give, under the pains and penalties prescribed by the act to which this is a supplement, for the punishment of any like neglect or refusal on the part of any officer or private to obey his commanding officer or for non-compliance with any requisition of the said mayor or justice as the case may be.

Authority
vested.

Duty
required