

militia at any time to be called forth, may appoint such commissaries, and such staff officers, as shall seem proper, and shall have full power to adopt such measures as he may deem necessary for the transporting and issuing all supplies and orders requisite, and whenever any calls are made upon the militia, the same shall be made upon the commanding officers of divisions, who shall immediately take measures for detaching the same, with the necessary number and ranks of officers, by detail, and according to a regular rotation of duty.

3. AND BE IT ENACTED, That in case of an insurrection, or threatened insurrection within, or invasion, or threatened invasion of, any part of the state, a major-general, brigadier-general, or a commanding officer of a regiment or battalion, extra battalion or squadron, shall have full power to order out the militia, or any part thereof, belonging to their respective districts, where the insurrection or threatened invasion may be or is expected to take place(a), and it shall be the duty of any such officer to give notice of such insurrection or threatened insurrection, or invasion or threatened invasion, with every circumstance attending the same, as early as possible, to their immediate commanding officer, by whom such information shall be transmitted with the utmost expedition to the commander in chief of this state; and in such cases it shall be the duty of the commanding officer of the regiment, battalion, extra battalion or squadron, within the limits of which such danger as aforesaid may be apprehended, to assemble his regiment, battalion, extra battalion or squadron, or such part thereof as he may deem necessary, and to take such measures as he may deem requisite for the protection and the peace of the state, till the orders of the commanding officer of the brigade shall be by him received; and it shall be the duty of every commanding officer of a brigade, immediately upon such information, to give such orders, and, if necessary, such aid from his brigade, by causing detachments therefrom as aforesaid, as in his judgment shall be required; and the militia shall be ordered out as aforesaid when any two justices of the peace shall require, and state in writing, that they have good reason to believe that the peace and quiet of the state is likely to be endangered by an insurrection or opposition to the laws.

In case of insurrections, &c. by whom militia may be called out.

(a) By 1816, ch 193, the judges of Baltimore city court, or any of them, may, when the peace and quiet of the state is likely to be endangered, direct the militia to be ordered out.

4. AND BE IT ENACTED, That if any such officer shall neglect to give such information as is required of them by the preceding section, he shall forfeit a sum not exceeding five hundred dollars, at the discretion of a regimental court-martial, to be collected and applied as fines are directed to be collected and applied, when levied by a regimental court-martial, under the act*, entitled, An act to regulate and discipline the militia of this state, and the several supplements thereto.

Penalty on officers for neglecting to give information of insurrections, &c.

* 1811, ch. 132

5. AND BE IT ENACTED, That in the cases provided for in the preceding section, the commanding officer of a brigade shall have full power and authority to take such measures for transporting and issuing such supplies and orders within his brigade, as he may deem requisite, till the orders of the commander in chief shall be known.

Transporting and issuing supplies, &c.