

An. Code, 1924, sec. 4. 1922, ch. 490, sec. 4.

4. Every member of the militia ordered out, or who volunteers, who does not appear at the time and place designated by his commanding officer or the sheriff aforesaid within twenty-four hours from such time, or who does not produce a sworn certificate of physical disability, to so appear, from a physician in good standing, shall be taken to be a deserter and dealt with as prescribed in the Articles of War, Army of the United States.

This section referred to in construing art. 101, secs. 46 and 80—see notes thereto. *Merrill v. Military Dept.*, 152 Md. 479.

An. Code, 1924, sec. 5. 1922, ch. 490, sec. 5. 1931, ch. 161, sec. 5.

5. The militia of this State shall be divided into two classes: the organized militia and the unorganized militia. The organized militia shall consist of the regularly enlisted members of the militia, and such other persons between the ages of forty-five and sixty-four as are authorized to enlist therein by the Governor, organized, armed and equipped, and of commissioned officers between the ages of twenty-one and sixty-four; provided, that a military office for which no salary is provided in the Budget, is not an office of profit. The unorganized militia shall consist of all those liable to serve but not regularly enlisted.

An. Code, 1924, sec. 6. 1922, ch. 490, sec. 6.

6. The Governor of the State, by virtue of his office, shall be the commander-in-chief of the militia of the State, except as of such portions as may at times be in the service of the United States.

The Governor shall have power to make such rules and regulations and issue orders for the enlistment, discharge, organization, discipline, training and equipment of the militia from time to time as may become necessary in order to conform to this Article and the National Defense Act, and amendments thereto and regulations made in pursuance thereof.

An. Code, 1924, sec. 7. 1924, ch. 112.

7. The Governor shall have power, by Executive Order, to organize, arm and equip a Naval Militia, and to provide for the administration and discipline thereof, conforming as nearly as practicable to the Federal laws and regulations now in effect, or hereafter enacted.

Provided, that all of the several sections of this Article that are applicable to such Naval Militia shall have the same force and effect as if the term Naval Militia had been specifically designated in any or all of such sections.

An. Code, 1924, sec. 8. 1922, ch. 490, sec. 7.

8. The Governor shall have the power in case of insurrection, invasion, tumult, riot, breach of peace or imminent danger thereof, or to enforce the laws of this State, to order into service of the State any part of the militia that he may deem proper. When the militia shall be on active service as herein provided, the commanding officer thereof, and his subordinates shall be, and they are hereby invested with all the authority of sheriffs, and deputy sheriffs, in enforcing the laws of this State, and they