

due notice of such adverse decision, be elected or appointed and in default of such election or appointment the vacancy shall be filled by the commander-in-chief.

New sections
SEC. 2. *And be it enacted,* That the following sections, numbered from forty-five to forty-nine inclusive, be and the same are hereby enacted as a part of the Code of Public General Laws and added to said article sixty-five.

Resignations
 45. Resignation of commissioned officers shall be in writing directed to the adjutant-general and transmitted immediately through all the intermediate commanders, who will endorse the same with their approval or disapproval, no officer shall be considered out of service on the tender of his resignation, nor until it shall have been accepted by the commander-in-chief.

Not to resign whilst under arrest or in default
 46. No officer shall be permitted to resign his commission, who shall be under arrest or returned to a court martial for any deficiency or delinquency; and no resignation shall be accepted unless the officer tendering the same shall furnish to the adjutant-general satisfactory evidence that he has delivered all moneys in his hands as such officer, and all books and other property of the State in his possession to his next superior or inferior officer, or the officer authorized by the law to receive the same, and that his accounts for money or public property are correct, and that he is not indebted to the State.

State military board
 47. The State Military Board, to be composed of the Adjutant-General, Comptroller of the Treasury and the State Treasurer shall meet on the first Mondays of March and September in each year for the purpose of auditing and adjusting all military claims incident to the organization, maintenance and discipline of the national guard, and which, on approval of said board endorsed thereon shall be paid as herein provided.

Bills and allowances.
 48. No bills or allowance shall be paid unless said bill or allowance is itemized and its correctness duly sworn to or affirmed before an officer authorized by law to administer oaths and affirmations.

Misdemeanor.
 49. Any member of the Maryland National Guard, who shall willfully and unlawfully misapply or convert to his own use any money or other property belonging to said national guard, or any organization thereof or who shall when lawfully called upon so to do by the proper officer of said Maryland National Guard fail or refuse to pay or deliver to said officer any such money or property in his possession, or for which the said member was chargeable or accountable shall be guilty of a misdemeanor and upon conviction