

by like courts under such Articles of War or the regulations and laws governing the Army of the United States, or the customs and usages thereof; but no punishment under such rules and articles, which shall extend to the taking of life, shall in any case be inflicted, except in time of actual war, invasion or insurrection, and then only after the approval by the Governor of the sentence inflicting such punishment. Imprisonment other than in guardhouse shall be executed in jails or prisons designated by the Governor for the purpose.

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.

5. The militia of the State of Maryland shall be divided into two classes: the organized militia and the unorganized militia. The organized militia shall consist of the regularly enlisted militia, organized, armed and equipped, and of commissioned officers between the ages of twenty-one and sixty-four; the unorganized militia shall consist of all those liable to service but not regularly enlisted.

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 Act and the National Defense Act, and amendments thereto and regulations made in pursuance thereof.

7. 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