

Annotated Code of Maryland
(1998 Replacement Volume)

BY adding to

Article 65 - Militia

Section 7

Annotated Code of Maryland
(1998 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 65 - Militia

1.

All able-bodied citizens of the State and all able-bodied persons of foreign birth, who have declared their intentions to become citizens of the State, and who are residents therein, shall constitute the militia, subject to the following exemptions: (1) persons exempted by the laws of the United States; (2) persons exempted by the laws of Maryland; (3) the members of any regularly organized fire or police department in any COUNTY, city, village or town; (4) judges and clerks of courts of record, registers of wills and deeds, sheriffs, [ministers of the Gospel, members of religious communities, ecclesiastical students in the various seminaries and schools of divinity,] CLERGY, practicing physicians, superintendents, officers and assistants of hospitals, prisons and jails; [all persons actually employed as teachers in any established school, college or university; lighthouse keepers, conductors and engineers of railways, seamen actually employed as such; idiots, lunatics, paupers, vagabonds, confirmed drunkards,] (5) ADJUDICATED INCOMPETENTS, persons addicted to the use of narcotic drugs, and persons convicted of infamous crimes [; all]. ALL such exempted persons, except as enumerated in items (1) and [(2)] (2), shall be available for military duty in case of war, insurrection, invasion or imminent danger thereof. Whenever the masculine gender is used in this article, it also includes the feminine gender, unless otherwise provided by law.

2.

When the militia of this State, or any part thereof, is called or ordered under the Constitution and laws of the United States, into the active military service of the United States, the Governor [shall] MAY order out for service the organized militia, or such part thereof as may be necessary [and if]. IF the number available [be] IS insufficient [he shall], THE GOVERNOR MAY order out such part of the unorganized militia as he may deem necessary.

[3.

Whenever any portion of the militia shall be on duty pursuant to the orders of the Governor, or shall be on duty or ordered to assemble for duty in time of war, insurrection, invasion, public danger or to aid the civil authorities on account of any breach of the peace, tumult, riot, resistance to process of this State, or imminent danger thereof, or for any other cause, the articles of war governing the Army of the