

see that they are kept in good order, and shall be answerable for their return to the public, and the volunteers to their officers, to whom they shall give their receipts.

C H A P.
XXVII.

V. **And be it enacted,** That the governor and council, in case of invasion of this state, or in case they shall have good reason to apprehend an immediate invasion will take place, or in case of an insurrection, may call out the whole or any part of the militia of any company, battalion, or district, relieving such of them as may be proper, by calling in the classes of the more distant militia, whose turns it may be to serve, as speedily as circumstances will allow; and the governor and council may also, in case of invasion or well grounded apprehension of it, as aforesaid, order and cause the removal of horses, stock, and provisions, from any neck, shore or district, to prevent their falling into the hands of the enemy, and may also order to be taken all such vessels, with their hands, carriages, horses, and other draught cattle, geers and drivers, as they may judge necessary and proper for the service of the state, to perform carriage, mount the militia, or go on expresses; and the owners of all vessels, horses, carriages, or other property, so taken or supplied for the public service, shall be paid the value thereof; or if the property is returned, a just price for the use, with damages, if any, for the abuse thereof; and in case an invasion or insurrection should so suddenly take place in this state, that intelligence thereof cannot, in the judgment of the lieutenant or other commanding officer of the militia of the county, be given to the governor and council, and orders be received and executed in time to put the part of the country invaded into a proper posture to repel or quell the same, the lieutenant, or other commanding officer of the militia of the county where the same may happen, with the advice of two or more of the field officers of his county, if the time will permit, or, if the time will not permit, of himself only, may call forth and array the militia of his county, remove the horses, stock, and provisions, or take the horses, carriages, teams, and drivers, into the service of the public, as aforesaid; and the lieutenants, or the commanding militia officer, calling the militia into the service, or ordering the removal of horses, stock, or provisions, as aforesaid, or taking carriages, horses, or other draught cattle, shall immediately transmit an account of his proceedings, and the reasons therefor, by express, to the governor and council, whose further orders thereon shall be obeyed; and the governor and council, or the lieutenant or other commanding officer of a county, on an invasion taking place, or being apprehended as aforesaid, may order the removal or destruction of any small boats, petty-augers, or canoes, if they judge it proper.

Governor and council may call out the militia, &c.

VI. **And,** Whereas on an invasion, the intercourse between the two shores may be very precarious, and the good citizens of this state on the eastern shore may be thereby in a manner disabled from repelling the invasion, or vigorously defending themselves and their country, unless one legal general pervading power should be established to draw their united force into action against the common enemy near the scene of action:

*vid 1781
Maye. 13
and c. 26*

VII. **Be it enacted,** That the honourable Matthew Tilghman, William Paca, Josiah Polk, Richard Tilghman Earle, and William Bruff, Esquires,

A special council appointed on E. shore, &c.