

officers and privates; and if the said commanding officer shall neglect or refuse to comply with the provisions of this section he shall be fined a sum not exceeding thirty dollars in the discretion of such court martial as the case may require. Dec. Ses. 1833

70. *And be it enacted*, That in case of invasion, or threatened invasion of Baltimore County, or any part of the limits of the city of Baltimore, the commanding officer of the division, the commanding officers of brigades, or the commanding officers of regiments, shall have full power to order out the militia belonging to their respective districts or commands, or any part thereof; and it shall be the duty of any such officer to give notice of any such invasion or threatened invasion with every circumstance attending the same, as early as possible to his immediate commanding officer by whom such information shall be transmitted with the utmost expedition to the commander in chief of this state, and in such cases it shall be the duty of the commanding officer of the regiment within the limits aforesaid, to assemble his regiment, or such part thereof as he may deem necessary, and take such measures as may be requisite for the public defence and protection of the state, until the orders of the commanding officer of the brigade to which he belongs shall be by him received, and it shall be the duty of the commanding officer of the said brigade, immediately upon receiving such information, to communicate it to the commanding officer of the division, and to give such orders, and if necessary such aid from his brigade, by causing detachments therefrom as aforesaid, as in his judgment shall be required, until the orders of the said commanding officer of division can be received; and to transmit information of what he shall so have done in the premises to the commander in chief, and to the commanding officer of division aforesaid without delay; and the militia shall be ordered out as aforesaid for the suppressing or preventing of an insurrection, or opposition to the laws, within the limits of the city aforesaid, when the mayor of the said city or chief justice of Baltimore City Court, or chief justice of Baltimore County Court shall in writing require it, and therein declare that he has good reason to believe that the peace and quiet of the state is likely to be endangered by an insurrection or opposition to the laws, and that military aid is necessary to suppress or prevent the same, and if any officer shall refuse or neglect to give such information as is required of him by this section, or shall refuse or neglect to order out the militia under his command, or such part thereof as he may be ordered or required to order out, as provided for in this section, or when so called out shall refuse or neglect to discharge the duties required of him in pursuance of the provisions of this section, he shall be liable to be cashiered, and fined not exceeding five hundred dollars, in the discretion of such court martial as the case may require; and if any non commissioned officer or private shall refuse or neglect to obey any order given him by his superior officer in pursuance of the provisions of this section, such non commissioned officer or private shall be liable to be fined, not exceeding one hundred dollars, in the discretion of such court martial as the case may require; and in cases provided for in this section, the commanding officer of the division shall have full power and authority to take such measures for issuing and transporting such supplies and orders within his division as he may deem requisite, until the orders of the commander in chief shall be known.

Case of invasion, &c.

Proceedings directed.

Insurrections, &c.

Penalties.