

other source, that any of the said officers, or any other officer in said division, has neglected or refused to comply with any of the provisions of this act as required of him, he shall be cashiered or fined a sum not exceeding one hundred dollars, in the discretion of such court martial as the case may require.

SEC. 33. *And be it enacted*, That in every court martial or other court created under the provisions of this act, except company courts martial, a majority of the members appointed on the court, shall be sufficient to form a quorum; and in every such court not less than two-thirds of the members present must agree in every sentence given, otherwise the person charged with violating any of the provisions of this act shall be acquitted, except in cases where a fine is to be imposed or remitted, and then a majority shall be sufficient.

Direction  
to court  
martial.

SEC. 34. *And be it enacted*, That the president of each court martial or other court, created under the provisions of this act, shall have power and authority to issue subpoenas to procure the attendance of witnesses to give testimony in any cause pending before said court, and said court shall have power and authority to issue attachment against any person who shall neglect or refuse to attend, and to enforce such attendance by such person as they may appoint therefor, and said court may also fine said person any sum not exceeding twenty dollars, unless he can give a reasonable excuse for not attending as aforesaid, and if the person appointed as aforesaid to serve said process, shall neglect or refuse to serve the same, he shall be subject to such fine as said court shall impose, not exceeding the sum of twenty dollars, and the return of said fines shall be made to the officer ordering said court in the same manner, under the like penalty, and within the same time, as the returns of other fines are directed by this act.

Power of  
courts mar-  
tial.

SEC. 35. *And be it enacted*, That the president of each court martial or other court created under the provisions of this act, shall require all witnesses produced on the trial of offenders, to declare on oath or affirmation, as the case may be, that the evidence they shall give shall be the truth, the whole truth, and nothing but the truth; and the members of all such courts shall take an oath or affirmation, which the president is required to administer to them as follows: You and each of you do swear or affirm, as the case may be, that you will well and truly try and impartially determine all causes to be tried by this court according to the provisions of the act for the better regulation of the militia of the city of Baltimore, so help you God, and the president shall take the same oath to be administered by any member of the court as aforesaid.

Witnesses  
examined  
on oath.

Oaths of  
members.

SEC. 36. *And be it enacted*, That any officer required to attend as a member of a division, brigade, regimental or com-

Penalties  
for not