

CHAP. 228. appoint therefor, for the purpose of giving evidence in any cause pending therein, and fine such person a sum not exceeding twenty dollars, unless he can give a reasonable excuse; the return of which fine shall be made to the officer ordering said court, in the same manner, and within the same time, as other fines are directed by this act.

Witnesses to declare on oath.

25. AND BE IT ENACTED, That the president of each court martial, or other court created under 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 rules for regulating and governing the militia within the limits 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.

Penalty for refusing to attend courts martial.

26. AND BE IT ENACTED, That any officer required to attend as a member of a division, brigade, regimental, extra battalion, or company court martial, or any other court as established under this act, who shall refuse or neglect to attend at the time and place appointed, shall be fined not exceeding one hundred dollars by said court, unless he can give a reasonable excuse for such non-attendance; and any non-commissioned officer or private required to attend as a member of any such court, who shall neglect or refuse to attend at the time and place appointed, shall be fined not exceeding five dollars by said court, unless he can give reasonable excuse for such non-attendance: which said fines shall be returned for collection to the officer ordering said courts martial, except in the cases of division courts martial, and courts of inquiry, where the fines shall be returned to the commanding officer of the brigade, to which the offender belongs, in the same manner, and within the time, as is directed by this act for the return of other fines.

Absentees may be excused.

27. AND BE IT ENACTED, That each court martial may acquit any delinquent by them to be tried, upon its appearing to such court martial that sickness, or some such sufficient excuse, was the cause of the violation of this act, for which such person is called to trial, provided that business is not admitted as cause of acquittal; and the officer ordering the court martial for the trial of offences under this act, or his successor in authority, shall, where a fine shall be adjudged by such court martial, have full power and authority to remit the same, in those cases only where the delinquent did not attend the court martial, and can prove to the satisfaction of said officer that sickness, or some such sufficient cause, other than business, prevented his attending the parade, as well as the court martial.

Collectors to be appointed.

28. AND BE IT ENACTED, That the brigadier general of each of the said brigades, shall, on or before the first day of July next, and from time to time thereafter as may be necessary, appoint some suitable person, on such terms as he shall deem advisable, to collect all fines that may be imposed under this act upon all commissioned officers of his brigade; and the commanding officer of each regiment