

42. The board of officers before entering on duty shall take and subscribe the following oath, which shall be administered by the senior officer to the other members, and afterwards by any sworn member to the senior officer.

"I, ———, do swear that I will well and truly investigate and determine the causes brought before this board without partiality, favor, or affection, and a true judgment give according to evidence; and I will not at any time, whatsoever, disclose or discover the vote or opinion of any particular member of this board, unless required to give evidence thereof as a witness, by a court of justice or a court martial in due course of law.

So help me God."

43. All witnesses shall be examined on oath, under the proceedings of the board, and the evidence shall be taken down in writing and be transmitted to the commanding officer of the regiment. After the conclusion of proceedings, and signature by the president, and the commanding officer shall carefully examine and revise the proceedings, annexing his signature and his approval or disapproval, and his remarks, in case of the latter, where it shall appear to him that any person so fined has not received the necessary notice to attend the board of appeal by causes over which he had no control, or that there have been other informalities in the proceedings of such board, shall have power to refer such proceedings back to the board for reconsideration before entering final judgment; and the written proceedings of boards of appeal shall be evidence before other courts; and the magistrate shall issue the necessary warrant for the collection of the penalty, and on non-payment thereof, for the imprisonment of the party so fined, upon presentation of the report of said board, and the affidavit of the quarter-master that it is the report furnished him by the commander of the regiment, and that it has been duly signed by such commander. Parties who have incurred a penalty which comes within the jurisdiction of the board of appeal, and who have had due notice of the sitting of such board, and who shall not attend thereat personally or by an agent, shall not be permitted in any subsequent prosecution for the recovery of any fine to allege as a defence, or in mitigation of such fine, anything which should properly have come within the consideration of such board; and the decision of the board in all cases within its jurisdiction, shall be final and conclusive.

44. Boards of Appeal shall not be entitled to any pay or allowances.

45. The Board may remit any fine, or any portion of a fine, on proof of sickness of the man or one of his family, requiring his attendance, or of an unavoidable necessity, or accident, really preventing his attendance at muster or duty, or for the want of due notice to attend.

46. All fines confirmed or remitted by the Board shall be certified in a schedule to be signed by the president.

47. Every man shall receive at least three days notice of