

- 97.** If any person who is not enrolled in the Militia is summoned as a witness before a court martial, and, after payment or tender of the reasonable expenses of his attendance, makes default in attending, or being in attendance as a witness—
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 (a) Refuses to take an oath or affirmation lawfully required by a court martial to be taken, or—
 (b) Refuses to produce any document in his power or control lawfully required by a court martial to be produced by
 10 him, or—
 (c) Refuses to answer any question to which a court martial lawfully requires an answer, or—
 (d) Is guilty of any contempt of the court martial by causing any interruption or disturbance in its proceedings,—
- 15 The president of the court martial shall certify the default, refusal or contempt of such person under his hand to a judge of any court of justice in the locality having power to punish persons guilty of like offences in that court; and such court may thereupon inquire thereinto, and, if the person is found
 20 guilty, punish him in like manner as he would be punishable in a proceeding in such court for any such default, refusal or contempt.

Refusing to attend or give evidence, etc.

Offence to be certified to court of justice and punished.

98. No sentence of any general court martial shall be carried into effect until approved by the Governor in Council.

Sentence subject to approval of Governor in Council.

OFFENCES AND PENALTIES.

- 25 **99.** Any officer who knowingly claims pay on account of any drills performed with his corps for any man belonging to any other corps, or claims pay for officers or men not present, or knowingly includes in any parade state, or other return, the name of any person not duly enlisted, and any man who
 30 claims, or has received pay on account of any drill performed in the ranks of any other than his own proper corps, or in more than one corps in any one year, is guilty of an indictable offence.
- Claiming pay for drill not performed; returning men not duly enrolled; claiming for drill with another corps.
- 35 **100.** Any officer or man who obtains by means of any false pretence, or who unlawfully retains or keeps in his possession, any of the pay or moneys belonging to any other officer or man, is guilty of an indictable offence.
- Unlawfully retaining pay of others.
- 40 **101.** Any officer or man who knowingly signs a false parade state, roll or pay-list, or any false return whatsoever, is guilty of an indictable offence.
- False returns.
- 45 **102.** Every person of whom information is required by any officer making any roll, in order to enable him to comply with the provisions of this Act, who refuses to give such information or gives false information, shall incur a penalty not exceeding
 50 twenty dollars for each item of information demanded of him and falsely stated, and the like sum for each individual name refused, concealed or falsely stated; and every person who refuses to give his own name and proper information, when applied to as aforesaid, or gives a false name or false information, shall incur a penalty not exceeding twenty dollars.
- Refusing required information, or giving false.