

61
104

President: Well, will you tell me why it is relevant at this time?

Pros: Yes sir. If Captain Jessop had granted permission to Lance-Corporal Tengum and Corporal De Bartok to take a vehicle down to Gronigen which was across the border outside of the British area of occupation, in order to bring that jeep across he would have to have a special authorization both through the CO of the unit and by a Brigadier. Was that ever done?

JA: That's not in issue. He isn't charged with contravening the order.

Pros: No, but it's relevant to the charge itself.

JA: Unless you can by this means, by means of the order, attack the credibility of the witness, that is the only reason why we would allow - the Court could allow this document to be put in.

Pros: Well, the point is this, that before any vehicle from the Canadian Army Occupation Force was allowed to pass out of this area, they had to have this special authorization. That was not only a unit responsibility but also a sub-unit responsibility insofar as each squadron was concerned. Now what I want to find out is this: why should Captain Jessop have agreed to let this man go down with a vehicle unless the special authorization had been granted - on top of the Work Ticket itself.

JA: What do you finally want to prove as far as the charge is concerned?

Pros: I want to prove that Captain Jessop would not have taken the chance of contravening an order like that simply for the sake of allowing one of his men to bring wedding presents down. I want to prove that the reason he took the chance and I submit that on the evidence of my witness he did in fact sign a Work Ticket but he didn't have it authorized. He didn't have the necessary authorization and subsequently the Brigadier's signature. He was only willing to take that chance for a far more important reason than merely sending one of his men with wedding presents. He was taking that chance because he wanted to have these tires brought through, the contact made in Gronigen and the tires sold.

President: Well, the Court have decided that the production of this evidence at this time is relevant. You may proceed.

The Certified true copy of 3 Cdn Inf Div CAOF RO 144 is marked Exhibit 'A', signed by the President and attached to the proceedings.

The Prosecutor continues with the cross-examination of the witness:

Q.268 Captain Jessop, can you tell me the exact date - the exact date you, as you stated, went to bed with a slight case of flu?

A.268 Yes. I went to bed on the evening of the twenty-fifth of February.

Q.269 On the evening of the twenty-fifth of February. And you remained there until when?

A.269 Until the morning of the second of March.

Q.270 Did you have your meals brought there?

A.270 Yes sir.

Q.271 And this room you occupied; did you occupy it alone or in company with some other person?

A.271 Alone.