

Q. What can you say in regard to his ability and character?
A. With regard to his ability, on his trade he would have no difficulty holding his work anywhere. With regard to his character I would say he is of very good character, he was never on Orders and I don't remember ever having to check Cpl. Russell.

Q. Would you say that he is a man of exemplary character?
A. Yes I think so.

Q. He is an excellent man on his job?
A. He is a very good man on his job.

NO CROSS-EXAMINATION
IN THE OPINION OF THE COURT IT IS UNNECESSARY TO COMPLY WITH RP 83(B)
SECOND CHARACTER WITNESS FOR DEFENCE

Lieut. ANDERSON of No.1 CGRU having been duly sworn states:

Q. Do you recognize the accused?
A. I recognize the accused.

Q. How long have you known the accused?
A. Since August 41 when he first came to the Camerons Carrying Plt.

Q. Will you tell the Court the work he did?
A. At the time Russel came to the Carrying Plt I was a Cpl. in the Plt and fortunately had Russell as a member to train. He worked very good and caused no trouble to anyone and at no time do I remember him being on Orders or checked for lack of discipline. He became an NCO and carried on and did a good job and when I left he was still doing a good job.

Q. What do you know about his character?
A. He has a very good character, he never beefed around amongst the men and was a good soldier.

Q. Was he trustworthy?
A. Very, when he was given a job to do he did it.

Q. When did you leave the unit?
A. In May 44.

Q. What rank was the accused then?
A. He was a L/Sgt at that time.

NO CROSS-EXAMINATION
IN THE OPINION OF THE COURT IT IS UNNECESSARY TO COMPLY WITH RP 83(B)
DFG. OFFR. SAID - "I submit to the Court a certified true extracts of all entries pertaining to changes of rank and wounds from the MPM.2 which I obtain from Records Office, CMHQ regarding the accused." (Extract marked exhibit 2 by Court)

PROSECUTION ADDRESSES THE COURT ON THE FINDINGS.

"I have nothing further to say in addition to what I have said on the submission."

DFG OFFR ADDRESSES THE COURT ON THE FINDINGS.

I submit again that the original evidence, exhibit 1, by the Prosecution is not admissable in that it states that Cpl. Russell was absent without leave from 2359 hrs 1 Dec 44. We have evidence that he was an A/Sgt on 13 Sep 44 on which date he was wounded and in accordance with GRC 4668, Para.12 (READS).

I submit that at the time referred to in Part II Orders time had not elapsed and at that time the accused was an A/Sgt as well as on the 8th day. It is up to the RU to take action to do away with acting ranks as well as other entries and any error or oversight must be mentioned in that Part II Order. It is ruled by law that if you are going to prove evidence by producing documents that you must have special record made and must comply with the statute strictly. You cannot make an error of

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