

Q. 45 And you did take such a summary?

A. 45 Yes Sir.

Q. 46 After all other witnesses had testified on the taking of the summary, what warning, if any, did you give the accused?

A. 46 I asked this question to the accused :--"Do you wish to make any statement or give evidence on oath? You are not obliged to say anything or give evidence unless you wish to do so, but whatever you say or any evidence you give will be taken down in writing and may be given in evidence".

Q. 47 Was anything else said at that time?

A. 47 The accused stated that he wished to make a statement.

Q. 48 That is, after this warning had been given?

A. 48 Yes Sir.

Q. 49 Was the statement that he made sworn or unsworn?

A. 49 He was sworn before he made the statement.

Q. 50 What did he say?

A. 50 "I was over at the kitchen and then went to the canteen. I saw two fellows playing catch. The two fellows asked me to get them a bottle of beer. I gave it to them as I didn't think they were too young. I passed it out the window. They took it under the steps and drank it. They passed the empty bottles back through the window and gave them two more bottles of beer. They were going down the road with it when I was coming down the canteen steps, so I hollered at them, and asked where they were going. They said they were going down the road and would be coming right back. I saw them coming out of a house and asked them where the beer was. They said that they had given it to some women. They wanted me to take 50%. I refused two or three times. They passed the empty bottles to me and I turned them in to the canteen. I went to White's store to get a drink of something. I went in and bought three bottles of milk. Mrs. White told them to get out of the store, that they were making too much noise. We all, then went outside. I took a drink out of the bottle I had and proceeded back to camp".

Summary of evidence is marked "H", signed by the President, and attached to the proceedings.

THE DEFENDING OFFICER DECLINES TO CROSS-EXAMINE.

IN THE OPINION OF THE COURT IT IS NOT NECESSARY TO COMPLY WITH R.P. 83 (B).

THE WITNESS WITHDRAWS.

THE PROSECUTOR HAS NO FURTHER WITNESSES.