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PROCEEDINGS ON PLEA OF NOT GUILTY

- Q Do you wish to apply for an adjournment on the ground that any of the rules relating to procedure before trial have not been complied with, and that you have been prejudiced thereby, or on the ground that you have not had sufficient opportunity for preparing your defence ?
- A No, sir.

THE PROSECUTOR DECLINES TO MAKE AN OPENING ADDRESS.

THE PROSECUTOR PROCEEDS TO CALL WITNESSES:

First witness
for Prosecution: K.92149 S/Sgt. W.E. PHILPOTT, No. XI District Depot, CA. being duly sworn, is examined by the Prosecutor:

- Q What are your duties in the depot ?
- A I am employed in the legal office and my duties include the preparation of documentary evidence for use at courts-martial.

- Q Will you identify this document ?
- A Certified true extract No. XI District Depot, CA. Part I. Order No. 83 dated 8th. April, 1944 referring to the accused.

COURT TO DEFENDING OFFICER:

- Q Do you object to this document being received in evidence ?

- A No, sir.
(DOCUMENT is read, marked "G" signed by the President and attached to the proceedings).

THE PROSECUTOR: I have a certified true copy MFM.2 of the accused dated at Vancouver, BC. 21st. May, 1941. I do not think it is admissible but it was produced at the summary as an exhibit and I am submitting it now for that reason.

- Q Will you identify this document ?
- A Certified true copy MFM.2 dated at Vancouver, BC. 21st. May, 1941 referring to the accused.
(DOCUMENT rejected).

THE DEFENDING OFFICER DECLINES TO CROSS EXAMINE THIS WITNESS.

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

THE WITNESS WITHDRAWS.

Second witness
for Prosecution: Dr. Frederick Charles BELL, Chief Medical Officer, District "J" Department of Veterans' Affairs, at Vancouver, BC. being duly sworn, is examined by the Prosecutor:

- Q Where is your office ?
- A The office is located in Shaughnessy Hospital.

- Q As Chief Medical Officer what are your duties ?
- A To direct the medical affairs of the department in District "J" which includes the Province of British Columbia and the Yukon.

- Q What opportunity have you of knowing the patients in the hospital ?
- A I have the daily admissions and discharges forms.

- Q You see all the patients ?
- A I don't see them all, no.

- Q But you see the records ?
- A All the records for discharges go through my hands.

- Q Do you know the accused ?
- A I recognize him as having given him some examination.