

THIRD WITNESS  
FOR PROSECUTION.

No. D-56319, C.S.M. L'Esperance, J., Le Regiment de Maisonneuve, C.A., attached to C.I.T.C. No. A-12, C.A., Fernham, Que., being duly sworn, is examined by the Prosecutor.

- Q. 24 Sergeant-Major L'Esperance, will you tell the Court, what your duties are, at this Training Centre?
- A. 24 At C.I.T.C. A-12, I am C.S.M. of "F" Company.
- Q. 25 In "F" Company, what are your functions, what I want to bring out is, when the men are on draft, what Company do they go to?
- A. 25 They go to the "F" Company. The "F" Company is a holding unit.
- Q. 26 This holding unit has charge of the men, before they leave this Training Centre?
- A. 26 Yes, Sir.
- Q. 27 Could you identify the accused?
- A. 27 Yes, Sir.
- Q. 28 Could you tell the Court his name?
- A. 28 Yes, Sir. Private Hamilton, W.H. D-46623.
- Q. 29 Was this man here when the draft left?
- A. 29 From the 6th July, 1942 to the 10th July, and from the 13th July to the 24th July, and from the 27th July to the 7th August, the time the draft left, Private Hamilton, W.H. D-46623, was absent.
- Q. 30 That was all in 1942?
- A. 30 Yes, Sir.
- Q. 31 When did you again see Private Hamilton?
- A. 31 I didn't see him until now, Sir.

CROSS-EXAMINED BY THE DEFENDING OFFICER.

- Q. 32 C.S.M. L'Esperance, you state that you have not seen the accused until just now?
- A. 32 I saw him once, when the Summary of Evidence was made.
- Q. 33 This was when?
- A. 33 I don't remember, about fifteen days ago, I would say.

THE PROSECUTOR DECLINES TO RE-EXAMINE.

QUESTIONED BY THE COURT.

- Q. 34 Was Private Hamilton warned for special duty?
- A. 34 Yes, Sir.