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Proceedings on Plea of Not Guilty.

*Instruction.
(See R. P. 39
(A))
Question.

*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?

Answer. No.

The prosecutor makes an opening address [hands in a written address which is read, marked _____, signed by the President, and attached to the proceedings.]

The prosecutor proceeds to call witnesses.

First witness
for
prosecution.

W.H.

W.H.H.

_____ being duly sworn, is examined by the prosecutor.

Opening Address by the Prosecutor

The prosecution will produce evidence to show that on 3 Sep 42 the accused was under open arrest, that he went to Brighton and that he had no permission to do so. Evidence will also be given as to his condition, state of dress and his attitude as evidenced by statements made.

1st witness
for the
prosecution

Lt.-col. T.M. Medland, O.C. 1 Cdn Fd Regt having been duly sworn, is examined by the prosecutor.

- Q. Can you say whether or not the accused, Lieut. Knox, was under open arrest on 3 Sep 42 and if he had permission to proceed to Brighton?
 - A. On 21 Aug 42 I placed Mr. Knox under open arrest. I have not at any time since that date released him. I was not with the Regt on 3 Sep 42.
 - Q. You have not released him?
 - A. He was still under arrest unless released by someone else.
 - Q. Had he any permission to proceed to Brighton?
 - A. I had not given him permission.
- Defence declines to cross examine.

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