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The accused, having been advised of his rights pursuant to R.P.76, states that he does not require an adjournment or postponement in respect of the fifth witness for the prosecution.

CROSS-EXAMINED BY THE DEFENDING OFFICER

- Q.178 At just what stage of the scuffle did you first see it?
 A. When I first came in Richmond and Lecompte were just sort of fooling around.
- Q.179 Just the two of them?
 A. Yes, sir.
- Q.180 You saw Edr. Daniels apply an arm lock on the accused?
 A. Yes, sir.
- Q.181 Did you see Edr. Daniels hit him?
 A. No, sir.
- Q.182 Would you say you didn't see it, or he didn't hit him?
 A. He might have hit him but I didn't see it.
- Q.183 Did you take any active part in the scuffle at all?
 A. No, sir.

In the opinion of the Court it is not necessary to comply with R.P. 83(B).

The witness withdraws.

Sixth witness
 for the
 prosecution

Capt. J.N. Tritt, C.D.C., No.28 Dental Coy., Petawawa Military Camp, having been duly sworn, is examined by the prosecutor.

- Q.184 Do you know Gnr. Herve Lecompte, the accused in this case?
 A. Yes, I treated him.
- Q.185 Do you recognize him here?
 A. Yes. (indicates accused).
- Q.186 When did you treat him?
 A. I am not sure of the exact date. Approximately several months ago now.
- Q.187 What did you treat him for?
 A. Fracture of the upper left jaw.
- Q.188 What was the treatment?
 A. First we tried to immobilize the fractured section and bring it back to its proper position and hold it there by wires, but there was a non-union and after six weeks we decided to extract the section of the bone with the teeth which were included in it.
- Q.189 Do you remember the approximate date of the operation?
 A. The date when I first saw him was the 11 March 44, and