

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

## C Proceeding on Plea of Not Guilty

Q.5 \*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. A.5 Yes, Sir, I haven't had sufficient opportunity for preparing my defence.

(For Minute of Adjournment and Reassembly see document marked

~~The Prosecutor declines to make an Opening Address.~~ "3")

~~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. }

Major J.E. DOWSLEY,  
No. 3A District Depot, C.A.,  
being duly sworn, is examined by the prosecutor. states:

I produce M.F.M.216, Certificate of Apprehension.

(Read, marked EXHIBIT "H", signed by the President and attached to the Proceedings)

I produce M.F.B.1481, cost of apprehension and return of the accused to his unit.

(Read, marked EXHIBIT "I", signed by the President and attached to the Proceedings)

The C.34463 Pte Albert Milton Foster mentioned in the documents which I have produced is the accused.

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 resumes his seat.