

*Subscribed Major*

to ~~Cpl. Moody~~, who then gave the following evidence. "On the 6th of Oct., at approximately 2230 to 2245 hrs, I saw the orderly corporal check the roll of 17 troop, and found Trooper Smith present. He had been drinking".

He definitely swore that Smith D.E. was in billets at tattoo, and that the orderly cpl., Shuya, had so found him.

Trooper Smith D.E. at first told the C.O. that he was in billets and when informed by Lt-Col. Vokes that he had been seen down town by Lieut. Haley, he replied, "I guess the game is up, I was just trying to protect the corporal". or words to that effect.

The accused declines to cross-examine the witness.

SIXTH WITNESS (For the Prosecution) - R 75990 Sgt. Cushman, 8 Can Recce Regt (140H), having been duly sworn, states:-

I was orderly sgt. on 6th 1943. 17 troop turned in a nil tattoo report, signed by Cpl. Shuya. (Attached as exhibit "A").

The accused declines to cross examine the witness.

The accused, having been duly warned in accordance with R.F. 40 declines to make a statement.

*C.D. Williams*

(C.D. Williams) Capt.  
Officer detailed to  
take the Summary

The accused does not wish to call evidence in his own behalf at this point.

*C.D. Williams*

In the Field  
7 Oct 43

(C.D. Williams) Capt.  
Officer detailed to  
take the Summary.