

C

Proceedings on Plea of Not Guilty

Question to
the accused.

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 sir

(If the accused applies for an adjournment see instructions at page 747 M.M.L.)

The Prosecutor proceeds to call witnesses.

First Witness
for prosecution.

Lieut. W.M. Laybourn, No. 13 District Depot, C.A.

being duly sworn, is examined by the Prosecutor *2* states.

Questions
2

I am Lieut. W.M. Laybourn, Prosecutor for No. 13 District Depot, C.A. and I wish to produce the following documents.
M.F.M. 2.

(M.F.M. 2 is read, marked Exhibit "F", signed by the President and attached to the proceedings.)

The next document is an M.F.B. 375. It shows the accused's initial as 'C' however it has the same regimental number and the same rank and the same surname.

(M.F.B. 375 is read.)

Court.

I am holding that the incorrect initial is with respect to the christian name of the accused as shown on the 375 does not invalidate the document. The same is obviously a typographical error. The document obviously refers to the accused and may be accepted as an exhibit.

(M.F.B. 375 is marked Exhibit "G", signed by the President and attached to the proceedings.)

M.F.M. 216.

(M.F.M. 216 is read, marked Exhibit "H", signed by the President and attached to the proceedings.)

I identify the accused, No. M.447691 Gnr. Otto Blumenthal as the person to whom these documents relate.

The Defending Officer declines to cross-examine.

The witness resumes his seat.