

beginning of July, I believe it was the 1st of July, 1942. I was then in charge of "F" Company.

Q. 16 What happened then?

A. 16 He was detailed for special duty; he was on draft.

Q. 17 Have you any record of this?

A. 17 Yes, Sir. A Warning Order.

Q. 18 Will you tell the Court what this document is? And what you had to do with it?

(With the permission of the Court, the document already produced as Exhibit "I", is shown to the witness).

A. 18 Sir, this is a Warning Order, which was signed by the accused, after being warned by Lieutenant Rea, in my presence. Lieutenant Rea explained the English-speaking proceeding on the draft, that they were warned for a draft, and I did the explaining to the French-speaking.

Q. 19 Could you tell us what the warning was?

A. 19 It read as follows: "I, the undersigned, having been duly warned for service overseas, on the 1st of July, 1942, at C.I.T.C. A-12, Farnham, Que., state that I realize and understand the nature and consequence of such warning, and I also know that if I go absent without leave from this time until such time as the draft leaves, thereby missing the draft, that I am a deserter and liable to be punished as such." This was signed by the accused. Also, it was signed by the Adjutant, and witnessed by me.

Q. 20 Would you hand it to the Court, please?

A. 20 Yes, Sir. (the witness hands Exhibit "I" to the Court).

Q. 21 Did the accused make any objection to signing that, or did he ask any questions about it?

A. 21 No, Sir.

THE DEFENDING OFFICER DECLINES TO CROSS-EXAMINE.

QUESTIONED BY THE COURT.

Q. 22 When warned, was the accused told that he might be charged with desertion?

A. 22 It was explained by Lieutenant Rea, that if they did go absent, they would be treated as deserters.

Q. 23 You heard that?

A. 23 Yes, Sir. I heard Lieutenant Rea say it.

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

THE WITNESS WITHDRAWS.