

*Instruction.
(See R. P. 39 (A))
Question. 5.

Proceedings on Plea of Not Guilty

*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. 5.

No Sir.

THE PROSECUTOR DECLINES TO MAKE AN OPENING ADDRESS.

~~The~~ The prosecutor makes an opening address [hands in a written address, ~~the~~ which is read, marked _____, signed by the President, and attached to ~~the~~ the proceedings].

The prosecutor proceeds to call witnesses.

First witness } Lieutenant C.R. Comben, R.C.A., "1 C.A.T.C., C.A.
for }
prosecution } PROSECUTOR;

being duly sworn, ~~is examined by the prosecutor~~ states:

I produce the following documents all of which refer to the accused.
M.F.B. 375 dated 24th October, 1941.

M.F.B. 375 dated 24th October, 1941, received by the Court, read to the accused, marked Exhibit "G", signed by the President and attached to the Proceedings.

M.F.M. 216 dated 4th December, 1942.

M.F.M. 216 dated 4th December, 1942, received by the Court, read to the accused, marked Exhibit "H", signed by the President and attached to the Proceedings.

M.F.B. 1481 dated 4th December, 1942.

M.F.B. 1481 dated 4th December, 1942, received by the Court, read to the accused, marked Exhibit "I", signed by the President and attached to the Proceedings.

M.F.B. 1481 dated 3rd December, 1942.

M.F.B. 1481 dated 3rd December, 1942, received by the Court, read to the accused, marked Exhibit "J", signed by the President and attached to the Proceedings.

M.F.B. 1482 dated 3rd December, 1942.

M.F.B. 1482 dated 3rd December, 1942, received by the Court, read to the accused, marked Exhibit "K", signed by the President and attached to the Proceedings.

M.F.B. 1482 dated 9th December, 1942.

M.F.B. 1482 dated 9th December, 1942, received by the Court, read to the accused, marked Exhibit "L", signed by the President and attached to the Proceedings.

The Defending Officer has had notice of the production of the two extra Certificates of the Costs of Apprehension at this trial.

The Defending Officer declines to cross-examine the witness.

In the opinion of the Court and the Judge Advocate it is not necessary to comply with R.P. 33 (b).

The witness resumes his seat as the Prosecutor.

The Prosecution has no further witnesses.