

Currie to call for it again and explain the emergency. We then moved Sign Weaver to the kitchen of the Delville Offrs Mess, for warmth. When the medical wagon had taken him away I left. I examined the left boot and found the spent round in it. I handed this to the Guard Commander giving him my name. The round was hardly recognizable when I picked it up, it was flattened.

CROSS-EXAMINED

- Q. You are certain that the accused made some remarks the exact words you are not sure of, but that he would get into difficulties over the incident, is that correct.
- A. That is certainly correct. There is no question about it.
- Q. How long do you figure the injured man was on the ground before you arrived?
- A. That might have been included in my evidence. When I arrived he was sitting in the sentry box. It was dark that night and I can't definitely recognize the soldier Weaver to whom I now refer.
- Q. I have been in this unit since 27 Jul. I have read these Standing Orders several times and they are kept posted in the Guard Room and they are also kept wherever Camp Standing Orders are kept.

NO RE-EXAMINATION.

QUESTIONS BY THE COURT.

- Q. Could the accused hear what Fowler said to you?
- A. Yes, Sir, he was right there.
- Q. Can you say definitely that these Standing Orders were posted on the night of 26 Aug?
- A. I could not say that, Sir.

IN THE OPINION OF THE COURT IT IS NOT NECESSARY TO COMPLY WITH RP 83(B).

FOURTH WITNESS

Capt CP RANCE, MCAME, No 1 CSRU, having been duly sworn, states:

I have today examined the accused's left ankle and foot and have compared it with the right foot. There is a 3" healed scar over the malleolus of the left foot. There is no tenderness in the bone or in the skin surrounding this scar. There is a very small scar well healed on the middle of the dorsum of the foot and another well healed scar in the middle of the sole of the foot. There is no limitation of movement of the ankle joint or of the movement of any of the toes as compared with the other foot. He can bear weight on the foot without discomfort and walks without limp. An injury such as this might or might not flare up again though, but at the present time it is well healed. I don't feel that I am in a position to say what category any Medical Board might give him on this foot.

NO CROSS-EXAMINATION.

IN THE OPINION OF THE COURT IT IS NOT NECESSARY TO COMPLY WITH RP 83(B).

FIFTH WITNESS

M.10913 Sgt LABELLE HQ, 1 CSRU, having been duly sworn, states:

I am the Sgt of the Regtl Police of 1 CSRU and I am familiar with Exhibit 1, these Standing Orders for Sentries. I have been here since 29 Jan 42. These orders were always kept posted in the Cd Room. They are usually posted on a board and are in the care of the Regtl Police during the day and then turned over to the guard or Guard Commander when the guard is posted in the evening. It is my experience that every night the Guard Commander reads these orders to the men as they go on guard. I can't remember any night that I have been on guard assuming that these orders are not read. There is not a copy of the orders permanently fixed on the wall or anywhere else. They are handed each day to the Guard Commander. I can't say whether Capt Killers was the Adjt in Aug last.

CROSS-EXAMINED

- Q. Can you state if these orders you have seen here today and marked Exhibit 1 are an exact and true copy of the orders as you know them that time in August?