

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

C
Proceedings on Plea of Not Guilty

Q-3

*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.

A-3

No Sir.

~~THE PROSECUTOR PROCEEDS TO OPEN HIS CASE BY EXAMINING THE WITNESS~~
~~WHICH IS NOW COMPLETED BY THE PROSECUTOR AND THE WITNESS~~
~~RETIRE~~

The prosecutor proceeds to call witnesses.

First witness
for
prosecution.

F16229 B.S.M. Allcroft, F. E. J., No 6 District Depot, C. A. being duly sworn, is examined by the prosecutor. Gunner MacDonald was granted furlough from the 5th of May, 1941, until the 18th of May, 1941, at 2200 hours. He did not return at that time, and I did not see him again until he was brought back to Wellington Barracks on the 28th of July, 1941.

The Defending Officer declines to Cross-examine the witness. R.P. 33 (D) is complied with.

The witness retires.

Second witness
for the pro-
secution.

F77180, Corporal Ellis, A., No 16 Coy., Canadian Provost Corps, C. A., being duly sworn, is examined by the prosecutor. I was instructed on the 26-7-41 to proceed to Montreal at 0845 hours to escort Gunner MacDonald to No. 6 District Depot. I reported to the 14th Coy., Canadian Provost Corps, in Montreal, and received Gunner MacDonald. I returned from Montreal at 1800 hours, 27-7-41. I placed Gunner MacDonald in the Guardroom at Wellington Barracks at 2345 hours on the 28-7-41.

Q-4

Do you recognise the accused as being Gunner MacDonald?

A-4

Yes, Sir.

Q-5

How was the accused dressed when he was handed over in Montreal?

A-5

Properly dressed in Battle Dress.

The Defending Officer cross-examines the witness.