

1.

1st WIT
Pros'n.

B46805 Sgt. PUCKERING L D Perth duly sworn, states:-

Recog Pte White, he is acsd (pointing). Approx 0900hrs
6 Oct Pl was warned for front line duties by me. At 1800 hrs
6 Oct I called roll & acsd did not answer. Searched Pl area
could not find acsd so reported to CSM. Warned them not to
leave billets as were supposed to go up that day. Told were
to be ready to move on one hour's notice. Sec ldrs checked
sections & all were present. Acsd, ROMAIN & BOUDREAU were
sitting on steps & I told the 3 that going to front & one 1
hrs notice. We moved up to front - acsd not with us. Next saw
him 14 Oct.

XXM:- Checked sec ldrs at time of warning Pl - did not call
roll. Personally warned some of the men. Men in 2 houses &
I went to each separately.

RE-EXAM:- I warned Pl HQ personally after warning Pl - at 0900
hrs - I saw these 3 men. I saw them again, this about 1000
hrs. Theysd "We know that Sgt."

COURT:- Nil R.P. 83(B) complied with.

2nd WIT
Pros'n.

C43769 CPL. ROCHLIN A Perth duly sworn, states:-

Recog Pte White, he is acsd (pointing) On 14 Oct I was Ord
Cpl. at 2030 hrs Pte White reported to me. I had not seen them
since they were reported missing approx a week before. Just
said "Hello, here I am."

XXM:- None

COURT:- None

R.P. 83(B) complied with.
Pte P. C. S. P.

2.

1st WIT
DEF

The acsd, duly sworn, states:-

On 6 ~~2030~~ Sgt. PUCKERING did not warn me that on one hours
notice. Heard some of boys talking about being on notice.
Had heard this for a few days.

XXM:- They sd we were on hours notice -

RE-EXAM:- Nil

COURT:- Was sitting on stairs with ROMAIN & BOUDREAU that morn-
ing. Sgt P did not speak to me. Was not present when Pl moved
off. Went to RIMINI, heard regt had moved, so I went to where
I heard regt were. I did not go back to area of house. Was
away by myself. He had been in action & were out of line.

R.P. 83(B) complied with.

DEF CLOSED:

PROS:- no closing address.

DEF OFFR in closing:- In front not usual to form up to give notice
Quite possible Sgt. warned small groups & White not present. Sgt
says saw 3 on stairs. Suggests likely made a mistake. Submit not
sufficient evidence to prove intent. &
J.A. Sems up:- Functions of Court credibility of witnesses, no
req'd, presumption of innocence. Burden on pros'n, reasonable
doubt, Desertion.

AA 56 & RP 44(D)

1st WIT
CHARAC

CPL. ROCHLIN, 2nd wit for pros'n, still under oath. White
a memb of sec - come just before GOTHIC line. Was first
experience under fire & bore himself well. Prior to action
willing & cheerful. Had told me had backaches but did not
want to go because Pl under strength. On a daylight recon
when patrol trapped & had to fight way out - kept his head
& in my opinion a good soldier.

XXM:- Nil

COURT:- Nil.

R.P. 83(B) complied with.