

The Defending Officer declines to cross-examine.

QUESTIONED BY THE COURT

Q.8 Was the accused apprehended in Toronto or Lindsay?

He was apprehended at Toronto.

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

The witness withdraws.

SECOND WITNESS) C.31325 C.S.M.(W.O.II) R.L. FERGUSON,
FOR THE) C.A.(B) T.C. No. 31, C.A., being duly sworn,
PROSECUTION) is examined by the Prosecutor:

Q.9 C.S.M. Ferguson, can you remember back to August of last year?

Yes, Sir.

Q.10 What were your duties in that month? What were your duties at C.A.(B) T.C. No. 31 in that month?

I was Platoon Sergeant of No. 7 Platoon, "B" Company.

Q.11 Do you recognize the accused?

Yes, Sir.

Q.12 What is his name?

Gnr Bell,

Q.13 Was he a member of your Platoon?

Yes, Sir.

Q.14 Tell the Court what took place?

On the 3rd of August, 1942, at 0600 hours, I called the roll and Gnr Bell did not answer his name. His pass had expired at 0630 hours the same morning.

Q.15 Have you ever seen the accused around the Centre since that date?

Not until the time he was apprehended and appeared in the Orderly Room.

Q.16 Did you report him missing?

He was reported missing on the roll call book and marked absent.

Q.17 Then what took place? Did he still remain in your Platoon?

Yes, Sir, until the 11th of August. Our Company went out on draft and he was transferred to "B" Platoon which were the left-overs of the Company.