

Proceeding on Plea of Not Guilty

*Instruction.
(See R. P. 29 (A))
Question.

Q. 5

*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?

A. 5
Answer.

No, Sir.

[Handwritten signature]

The prosecutor ~~and the opening address the order of the Minister and the order of the President and attached to the proceedings~~ declines to make an opening address.

The prosecutor proceeds to call witnesses.

First witness
for
prosecution. }

Lieutenant J.E. Pope, General List, C.A., attached to C.I.T.C. No. A-12, C.A., Farnham, Que.

being duly sworn, is examined by the prosecutor.

Q. 6

Will you tell the Court your duties at this Training Centre?

A. 6

At C.I.T.C. A-12, I am Assistant-Adjutant; and as such, I have the custody of the regimental books of the said C.I.T.C. A-12.

Q. 7

Do you know the accused?

A. 7

I can identify the accused, between the two escorts, as Private Hamilton.

Q. 8

Will you produce this document to the Court, and explain what it is?

A. 8

I produce this document "Draft Warning Order", which was signed by the accused, Private W.H. Hamilton, on the 1st of July, 1942, in the presence of Lieutenant Rea and Major Allen.

Form A-12TC-138F is produced before the Court, marked Exhibit "I", signed by the President and attached to the proceedings.

Q. 9

I have here another document, which I would ask you to please produce, and tell the Court what it is?

A. 9

I produce M.F.B. 375, being a Certified true copy of the Declaration of a Court of Inquiry, held on the illegal absence of D-46623, Private Hamilton, W.H., on the 29th of July, 1942, and it is a true extract of M.B. 68.