

3rd WITNESS FOR THE PROSECUTION

Lt F.W. BARNWELL, on strength No 1 COMERU, having been duly sworn states:

About 0830 hours on the 11 Sep 44 I came into the drafting office and the accused, whom I recognize as Cfn Chapman, was there asking about his trades pay. I said I would take his pay book and try to get an entry made so that he might get it. There is a quota for tradesmen who are allowed to draw trades pay, and if the quota was not filled then I could get this man his pay, however it was filled and nothing could be done by anyone. If a man is surplus to the quota he just isn't allowed his trades pay until such time as he comes on the quota, if he is attached out his name is still on the list and in due course he is put on the quota and gets his trades pay.

CROSS EXAMINATION BY THE DEFENDING OFFICER

Q When you had this first parade did you ask if there was any complaints or questions?

A I did not.

Q Did you not take Pte Chapman's pay book at 0830 hours?

A I did not.

Q Where was he when you took his pay book from him?

A I took his pay book from Cpl Barret the draft cpl. Chapman had raised the question and I told him that another soldier had also asked about it and I took their paybooks with the idea of getting it fixed up for them and marked accordingly so they would get the pay.

Q Were you on parade at 1300 hours?

A No.

Q Was any officer on that parade?

A No.

BY THE COURT

Q Do you know whether Chapman was drawing trades-pay at 1 COMERU?

A No Sir.

In the opinion of the Court it is unnecessary to comply with RP 83(B)

4th WITNESS FOR THE PROSECUTION

B 53862 Cpl BARRETT, V.J., bn strength No 1 COMERU having been duly sworn states:

On the 11 Sep 44 at about 0830 hours I called the parade as draft cpl, it was a draft going to 1 Sub Wksp. Lt Barnwell was out to warn the draft. At the end of the warning after I turned the parade over to the QM and MO etc, Chapman, who is there, the accused, asked me if he could see some officer about trades pay. After the parade I took him to Lt Barnwell who told him he would do what he could. At the same time I collected the Pt II of their pay books. They told the accused that the quota of tradesmen was filled and there was no chance of him getting his trades pay. The draft officer was also the orderly officer that day, and when I called the parade at 1230 to take them to their veh and get them away at 1300 hours I handed back their pay books and told them that I could not do anything about their trades pay. The accused was present and he said he wanted to see an officer, there was none there at that time and I told him that I would parade him to the orderly officer up at the office I turned the parade over to the WO I in charge of the drafting and I took the accused to the Command Post and paraded him. Lt Miller was there and interviewed him, he explained that the quota was filled and nothing could be done about the trades pay.