

15
"I"

Swainson

Major,
President, Standing Court-Martial.

STATEMENT BY THE PROSECUTOR

Sir: The Defence have requested the assistance of the Prosecution in producing documentary evidence on file in the interests of the accused, and it is proposed to call the Adjutant at this time.

THE COURT ADDRESSING THE PROSECUTOR: In the interests of the accused in mitigation?

THE PROSECUTOR ADDRESSING THE COURT: Yes, sir.

The Prosecutor proceeds to call the witness.

FIRST WITNESS

Capt. P. O. STAYNER, No. 12 Infantry Training Battalion, C.A., being duly sworn, is examined by the Prosecutor.

Q. Capt. Stayner, will you identify yourself to the Court, please.

A. I am Capt. P. O. Stayner, Adjutant of No. 12 Infantry Training Battalion. In my appointment as Adjutant I have custody of all regimental books and documents.

Q. Do you recognize the accused?

A. I do.

Q. What is his name?

A. Pte. Keewatin.

Q. I show you a communication dated the 12th October 1945, purporting to be signed by Roy Keewatin and addressed to the Officer Commanding, 12th Infantry Training Battalion. Do you recognize this document?

A. I do. This document is taken from the accused's personal file of the regimental records.

The Prosecutor tenders the document as an exhibit.

The letter is read and marked Exhibit "J", signed by the President and attached to the proceedings.

Q. I show you a communication dated the 23rd November 1945, purporting to be signed by A. B. Simes, M.D., and addressed to Capt. L. W. Tracy at Dundurn. Do you recognize this document?

A. I do. This document is also taken from the personal file of the accused's regimental records.

The Prosecutor tenders the document as an exhibit.

The letter is read and marked Exhibit "K", signed by the President and attached to the proceedings.

The Defending Officer declines to cross-examine.

The witness withdraws.