

- Q.13 You were supposed to go through meal parade in tps?
- A.13 Yes sir.
- Q.14 I understand on this day you had not eaten for some time?
- A.14 I think it was the first meal since 6 o'clock in the morning. I know I went to meal parade but I don't know if they went through in their proper order.
- Q.15 Nothing was said about having a free for all and to fall in any way you want?
- A.15 I think No. 3 Tp went through in their proper place.
- Q.16 What part of the tp was in the parade when Tpr Lyons fell in?
- A.16 Practically the whole tp sir.
- Q.17 You did not see or hear Mr. McQuarrie when he shouted to Tpr Lyons?
- A.17 No, I did not.
- Q.18 As senior N.C.O. of the tp at that time did you make any effort to see that they went through in their proper order?
- A.18 I was not senior N.C.O. at the time.
- Q.19 Who was?
- A.19 Cpl. Mathews sir.
- Q.20 Did he make any effort to control No. 3 Tp through the meal parade?
- A.20 Not to my knowledge sir.

In the opinion of the court and the judge advocate it is not necessary to comply with the provisions of R.P. 83(b)

THE WITNESS WITHDRAWS

Third Witness for the Defence

The accused, K 74653 Tpr Lyons, W.R. 28 Can Arm'd Regt being duly sworn is examined by the Defence.

- Q.1 Do you remember 12 Oct 43, you had some conversation with Mr. McQuarrie and will you tell us just why this charge was laid?
- A.1 Myself and the rest of my tk had completed our slit trenches and I got my mess tins and started walking over to the meal parade. ~~I saw one of the drivers coming through with his dinner. It was Tpr Konchuk and I asked him how he got his dinner and he told me he was the tp runner. I then proceeded around the meal parade and Mr. McQuarrie approached me and spoke to me. He asked me what was the matter. I told him nothing and he said he had called me back. I said I had not heard him. He then said if I don't give him more cooperation he would have me thrown out of the tp. He left me with that and I proceeded into the meal parade, with the rest of the tp.~~
- Q.2 While you were talking to Mr. McQuarrie where was the rest of your tp?
- A.2 I saw a few of the boys pass by and they were in the line up when I got there.
- Q.3 Where did Mr. McQuarrie fall in?
- A.3 He fell in about two behind me, he was at the end of the line.
- Q.4 Where was L/Cpl Graham?
- A.4 He was in front of me.
- Q.5 That particular day you camouflaged your tk and dug slit trenches was that the order that day?
- A.5 The order was we had to camouflage the tk and dig slit trenches before eating.
- Q.6 Was there any limit on the time that you had to have this job finished?
- A.6 When you had your job finished you could eat.
- Q.7 Normally you had a meal at noon did you not?
- A.7 Yes sir.
- Q.8 Was this system or control for meal parade operating on this particular day?
- A.8 No sir, it was just when you were through your work you could eat.
- Q.9 When were you placed under arrest?
- A.9 Just before we moved off from the area Mr. McQuarrie informed me I was under open arrest.