

On 6 Nov 44 we were still in GHENT and the CSM that night at meal parade warned all the Pl Sgts to see that all big packs were ready in the morning and to have the men ready to move off sometime the next day 7 Nov 44. The Sec Comds were warned by myself at approx 1700 hrs 6 Nov 44 that the regular morning parade was cancelled. On the morning of the 7 Nov 44 they were warned again to see that the packs were there at 1000 hrs and to have the men ready to move off at 1300 hrs. At approx 1000 hrs 7 Nov 44 Cpl GOODALL, now L/Sgt GOODALL, came to me and reported that he could not find RUSSELL. I sent Cpl GOODALL back an hour and a half later to see if he could find him again. He returned with the same reply as before that the accused was not there. At approx 1245 hrs 7 Nov 44 I lined the platoon up prior to embussing and called the roll. Rfn RUSSELL was not present. We received orders to embuss at 1300 hrs and left GHENT without Rfn RUSSELL. I have not seen the accused from that time until the Summary of Evidence was taken a few days ago.

Cross-Examined by Defense

My orders were given to me by the CSM and I warned the Sec Comds whose duty it was to warn their sections. I could not warn my men individually as we were billeted around town. If a Sec Comd did not warn his section they would not be warned at all.

Examined by Court

As Rfn RUSSELL was still on my Pl strength for about 3 or 4 days his name was called by myself and he was marked absent each day. I have not heard the accused at anytime mention any intention of leaving the Bn and not returning.

RP 53 (B) has been complied with

3rd Witness for Prosecution

H17362 CSM WHITLOCK, B, sworn states:

I am H17362 CSM WHITLOCK, B, CSM "B" Coy R Wpg Rif. On 7 Nov 44 I was holding the same position. On the night of 6 Nov 44 I was warned that there was a move the next day. I warned all the Pl Sgts of a parade at 1300 hrs 7 Nov 44. At the parade at 1300 hrs 7 Nov 44 I was present and checked the platoons. The accused was reported to me at that time as being absent. Since that parade I have not seen or heard of the accused. The accused's duties on the 7 Nov 44 would be to pack up and get ready for the move at 1300 hrs. There was usually a parade at 0930 hrs but 7 Nov 44 it had been cancelled.

Cross-Examined by Defense

On the parade at 0930 hrs 6 Nov 44 the coy was not warned of a move as we did not know at that time. There was not a company parade between that time and 1330 hrs 7 Nov 44. It was a duty of the sec comds to warn the men of their sections. I warned the NCOs of the coy that the 0930 hrs parade was cancelled.

Examined by Court

I have never heard the accused state any intention of leaving the Bn and not coming back.

RP 53 (B) has been complied with