

COURT-MARTIAL MAY CALL UPON QUEBEC M.P.P.

Absent Yesterday When His Testimony Was Requested

OFFICER IS TRIED

Quebec, Dec. 10. — (CP) — Hon. Elisee Theriault, member of the legislative council for Kennebec division, may testify to-day when a general court-martial resumes the trial of Capt. Georges Antoine Grondin, of Quebec.

Mr. Theriault did not answer his name yesterday when called by the crown to testify before the court, set up to try five medical officers and four privates on charges arising out of alleged irregularities in the medical examination of prospective army recruits.

Shortly before the court adjourned the trial of Capt. Grondin, who pleaded not guilty to a charge of having accepted bribes while in the performance of his military duties, the crown prosecutor, Lieut.-Col. Laval Fortier, called on Mr. Theriault to testify. The witness could not be found and no explanation for his absence was given. The court instructed the prosecutor to get in touch with Mr. Theriault and to have him testify when the trial resumes.

Two other developments marked the beginning of the trial. The court refused to declare a witness hostile and also maintained a defence objection that one of the witnesses had failed to identify the accused and did not have to give part of his testimony.

Pte. Louis Philippe Hamel, of Quebec, one of the four privates who have already stood trial, testified that he gave Capt. Grondin an envelope with \$10 in it. He said the \$10 came from Rene Bourque, of Montmagny, but that he did not know whether Bourque had been examined by Capt. Grondin.

Col. Fortier asked that Hamel be declared a hostile witness. Defence Counsel Antoine Rivard, K.C., objected and said that the witness should not be so declared because he (Rivard) had objected to the majority of Hamel's answers. The objection was upheld.

Joseph Aube, of Quebec, then took the stand and said that "the accused looks like a medical officer who was at my house after my medical examination, but I won't swear to it as he was only at my house for a few minutes."

The defence objected to a number of questions, claiming that identification was lacking, and the objections generally were upheld. When the prosecutor asked what conversation had taken place at the witness' house, Mr. Rivard objected again and the court maintained the objection. Aube was not asked to testify further.

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