

Witness questioned by the Prosecution

- Q. Did you know Miller was a Provost?
A. No sir, I thought he was a civilian.
- Q. When did you change your mind?
A. When I got to the guard room in 1 Adm Tpt Coy.
- Q. Didn't you notice the car?
A. Yes sir.
- Q. What type of car was it?
A. A car of 1 Adm Tpt.
- Q. Who was driving?
A. Miller himself.
- Q. Didn't that strike anything to you?
A. I thought it might be a catch they had thought up.

IN THE OPINION OF THE COURT AND THE JUDGE ADVOCATE IT IS NOT NECESSARY TO COMPLY WITH RP 83 (B)

FIFTH WITNESS D-76466 S/Sgt Miller NL, SIS, Cdn Provost Corps,
PROSECUTION CMHQ, having been recalled by the Court, is examined by the Judge Advocate:

- Q. When and how did you identify yourself to the accused?
A. When we were in the Office and CQMS Naylor spoke to him and asked me if I wanted to say anything. I took out my warrant and told Stanley who I was and he would not look at the warrant. I figured he was too nervous at the time.

IN THE OPINION OF THE COURT AND THE JUDGE ADVOCATE IT IS NOT NECESSARY TO COMPLY WITH RP 83 (B)

FOURTH WITNESS B-25168 A/QMS Weir J.M, 7 Cdn Artizan Wks Coy
PROSECUTION RCE, having been recalled by the Court, is examined by the Judge Advocate:

- Q. How and at what point did S/Sgt Miller identify himself to Stanley?
A. Practically immediately after we went into Naylor's office.
- Q. How did he do it?
A. He showed him his card.
- Q. Did Stanley examine it?
A. No sir. I looked at it. I didn't know Miller myself until I had seen his card.

IN THE OPINION OF THE COURT AND THE JUDGE ADVOCATE IT IS NOT NECESSARY TO COMPLY WITH RP 83 (B)

Judge Advocate

The Court is called upon at this time to determine whether the accused was under arrest at the time of the search or not. If he was not under arrest at the time then the Court should rule that this search was