

(75)

SUMMARY OF EVIDENCE 65
IN THE CASE OF

G12009 Bombardier John Frederick Allan, 4th. Heavy Battery, R.C.A.

FIRST WITNESS:- G12060, Gunner White, H.N., 4th. Heavy Battery, R.C.A., at Armoury, Saint John, N.B., at 1030 hours, 14th. November, 1939, having been duly sworn states:-
"At Saint John, N.B., Bdr. Allan, the accused, and I went into Captain Boyaner's office the morning of the 3rd. of November 1939 around 1000 hours for Dental Parade. Bdr. Allan and I had been drinking before entering Captain Boyaner's office. Bdr. Allan, at that time, was groggy."

(H. M. White)
Gunner,
4th. Heavy Battery, R.C.A.

The accused declines to cross-examine the witness.
R.P. 4 (C), (D), & (E) have been complied with.

SECOND WITNESS:- Inspector-Detective Patrick F. Biddiscombe, Saint John City Police at Armoury, Saint John, N.B., at 1040 hours, 14th. November, 1939, the second witness, having been duly sworn in states:-
"At 1230 hours Friday 3rd November, 1939, Sgt. Wesley Venart of the City Police and I arrested the accused, Bdr. Allan, at W.H. Wilson Chemical Co's. office, 25 Water Street, Saint John, N.B. He was drunk. We took him to the Police Station at King Street East and later that day turned him over to the Military Police."

(Patrick F. Biddiscombe)
Inspector-Detective,
Saint John City Police.

The accused declines to cross-examine the witness.
R.P. 4 (C), (D), & (E) have been complied with.

THIRD WITNESS:- G 12074, L/Bdr. Berryman, J.R., 4th Heavy Battery, R.C.A. (on command as G.M.P.), at Armoury, Saint John, N.B., 1050 hours, 14th November, 1939, having been duly sworn in states:-
"At Saint John, N.B., as a member of the Garrison Military Police I placed the accused Bdr. Allan in the Guard Room at about 1330 hours, 3rd November, 1939. He was drunk. I had taken this man over from the Civil Police at the Police Station on King Street East."

J. R. Berryman

(J. R. Berryman)
L/Bdr. (G.M.P.)
4th Heavy Battery, R.C.A.

The accused declines to cross-examine the witness.
R.P. 4 (C), (D), & (E) have been complied with.

"Q" "Do you desire to call any witness on your own behalf?"

"A" "No sir."

"Q" "Do you wish to make any statement or to give evidence upon oath? You are not obliged to say anything or give evidence unless you wish to do so, but whatever you say or any evidence you give will be taken down in writing and may be given in evidence."

"A" "No sir."

Taken down by me at Saint John, N.B., the 14th day of November, 1939, in the presence of the accused.

65

*had
11 Nov 1939
[Signature]*

H. W. Ramsey

(S. W. Ramsey, Lieutenant,
[Signature])