

- Q. Did you sleep there the night of 31 Mar - 1 Apr?
A. I believe I did.
- Q. Was there any period in which you are not in the canteen?
A. Several times during the day it is locked up but no one is there.
- Q. Did you ever leave the accused there alone?
A. Yes, but only to go outside, and I could see him through the window, and besides I always came right back in.
- Q. You never left him alone there in charge?
A. No.

IN THE OPINION OF THE COURT IT IS UNNECESSARY TO COMPLY WITH RP 83(B).

FOURTH WITNESS:

D130038 Lcpl DONOFRIO J, 22 CSEC, having been duly sworn states:

On 1 Apr we had a kit inspection by Lt Lowden and I assisted him in Hut 9 and we searched every kit bag until we reached the bed of the accused, whom I now recognize, and we searched his kit bag and found nothing, but we found a box beneath his bed and he was asked if it was his and he said no. Exhibit "A" is the box. There was a name on the box by the name of Duthrie. We took it over to the Orderly Room, opened it, and found it just as it is now.

- Q. Was Exhibit "B" in the box also?
A. Yes.

(Witness continues)

Sometime ago a Cpl Sherry recd a parcel, I saw him open it, and he treated us, and the accused said he needed the empty box and Sherry said he could have it and gave it to him. I don't know what happened after that. This conversation was in Hut No 9. Sherry is not with us now

- Q. Was the box empty when the accused took it?
A. Yes.
- Q. Is Exhibit "B" the box?
A. Yes.
- Q. That box, Exhibit B, has in it a doll and a rabbit, did you ever see them before?
A. No.
- Q. Did Sherry give the accused a doll and a rabbit?
A. I don't know.
- Q. Was there a doll and a rabbit in Sherry's box?
A. I didn't see any sir.

CROSS EXAMINED

- Q. Were you kit inspected in Hut 9 that day?
A. Yes.
- Q. Did you actually stay in the Hut after the inspection was made?
A. I couldn't because I was on duty, I'm an RP.
- Q. Did you go to the Orderly Room with Lt Lowden?
A. Yes.

IN THE OPINION OF THE COURT IT IS UNNECESSARY TO COMPLY WITH RP 83(B).

EMM