

SUMMARY OF EVIDENCE

In the case of No. H-9040 Pte Cyrenne B. of the Canadian Infantry Corps, on strength of 4 Cdn Inf Trg Regt.

By direction of the Commanding officer, this Summary of Evidence is taken on oath.

First Witness
for the
Prosecution.

D-56219 Sgt J.S.N. Brais, of the Canadian Infantry Corps, on the strength of 4 Cdn Inf Trg Regt, having been duly sworn, states as follows:

* At approximately 2355 hours 19 Jul 45, I was present at a kit inspection conducted on the accused's kit. The civil police of Storrington was suspecting the accused of having stolen some articles from 4 CITER together with two other soldiers, namely Pte. Gingras E. and Pte. Cormier L. The civil police requested that a kit inspection be made. I asked permission to Capt Lavallée to make a kit inspection on these two privates and the permission was granted. Lt Savoie A.J. was detailed to attend to the inspection. The inspection was carried out, but none of the articles that the civil police were looking for could be found in the kits. The following articles however were found in the accused's kit:

- 1) One cap tank Battalion, size 7 3/8 Produced and marked Exhibit "A"
- 2) One Jerkin Leather produced and marked exhibit "B"
- 3) One framed mirror 9 inches by 11 inches produced and marked Exhibit "C"

The accused declines to cross-examine this witness.

J.S.N. Brais Sgt
(J.S.N. BRAIS)

Second Witness
For the
Prosecution

Lieut. A.J. Savoie, of the Canadian Infantry Corps, on the strength of 4 Cdn Inf Trg Regt, having been duly sworn, states as follows:

* I was present at the inspection conducted on the kit of the accused at approximately 2355 hours 19 Jul 1945. The following articles were found in the kit of the accused:

- 1) One cap tank Battalion, size 7 3/8 Produced and marked Exhibit "A"
- 2) One Jerkin Leather produced and marked exhibit "B"
- 3) One framed mirror 9 inches by 11 inches produced and marked Exhibit "C"

The accused declines to cross-examine this witness.

A.J. Savoie Lieut
(A.J. SAVOIE)

The accused was then cautioned as follows: "Do you wish to make any statement or to give evidence on oath? You are not obliged to make any statement or to say anything unless you wish to do so, but whatever you may say or any evidence you may give will be taken down in writing and may be used in evidence."

The accused declines to make a statement and reserves his defense.

I certify that the foregoing summary of Evidence was taken down by me in the presence and hearing of the accused and that Rules of Procedure 4 (c) (d) (e) & (f) have been duly complied with. This summary of evidence consists of one page.

J.R. Mathieu Lieut
(J.R. MATHIEU)
Officer detailed to take the
Summary of Evidence.

IN THE FIELD
23 Jul 45

MM