

seemed to be clear in his mind. He had been working for a manufacturing plant and was taking in \$50.00 sales tax to the Public Building. After entering the building he went to the basement lavatory. Standing there, he was aware of a man coming up beside him on his right. He felt a hand on his shoulder and, as he turned, he was struck in the face and fell to the floor. Brown stated that he remembered falling and that he lost consciousness after he was on the floor. The only description he could give of his assailant was that he wore a black glove. He set the time of the assault at 10.40 a.m.

The victim was questioned in the C.I.B. office and then in the City Police Station. Several points in the story were upsetting to the intelligence. Brown was struck from his right but the mark appeared on the left side of his face. The fact that he remembered falling before passing into oblivion was hard to appreciate. An employee had been in the lavatory at 11.20 a.m., forty minutes after the alleged robbery, but Brown was not there then.

Brown broke down and confessed that he had planned the affair with his brother-in-law Rocco Costello, and Samuel Mancuso. Mancuso had followed Brown to the basement, struck him to order in the face, and took the money to Brown's home where he left it with Costello. However, Costello denied his part in the frame-up and the money was not found.

The men were charged with public mischief (common law) and theft. The charges were heard by Magistrate R. J. Browne. Costello was acquitted, as the only evidence against him was that of the two accomplices whose story was not accepted. Mancuso was sentenced to one month in Don Gaol, and Brown was found guilty and given an equivalent to suspended sentence.

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R. v. Burlak

Theft of Turkeys—Lack of Identification Marks— Novel Mode of Finding Lost Birds

Mrs. Hassner, Borden, Saskatchewan, lost twelve turkeys. Tracks across a ploughed field indicated that the birds had been stolen. The R.C.M.P. investigator armed himself with a Search Warrant, and he and Mrs. Hassner went to a neighbour's farm, one occupied by the family of Mrs. Andrew Burlak.

The latter admitted having turkeys on her place, but staunchly denied having stolen any of Mrs. Hassner's. The complainant was invited by her hostess to see for herself if her flock was there. Mrs. Hassner could not recognize her turkeys. The policeman was not surprised because, probably being a man of experience, he knew that one turkey looked the same as another and made the same sort of sound too.

But he did not reckon with Mrs. Hassner's turkeys. The complainant suggested that she perform an experiment. Mrs. Hassner raised her voice in some strange, melodious call to which her birds had been accustomed. Much to everyone's surprise, ten turkeys came trotting from a hiding place in a nearby field and took up positions around Mrs. Hassner. Her remarks were, "There are two more." Eager to see the thing through, the investigator opened the door of the barn, which housed Mrs. Burlak's turkeys and invited Mrs. Hassner to "holler" again. She did. The missing flock was now complete.

As a sequel to the complainant's triumphant march homewards surrounded by her faithful birds, Mrs. Burlak was fined \$10.00 and costs.