

talk & one of them bought us a round. There was a girl there, talked & drank till about 9:30. got up & talked to girl & she asked for a picture. I showed her one & she grabbed it. We then left with Ptes Jergeon, Pierre & Paquette. Took a tram to the & bought ticket to stop before center ford & walked back. Ticket cost 5d. Arrived in camp about 12 o'clock. In my hut I changed pants. Put Grenier's pants in hook near his bed. When woke up he asked me if I saw wallet & I said 'no'. That is all.

Cross-exam - nil

Count - I had my own wallet in the pub, it is brown wallet, with zipper on 2 sides, the zipper is broke. My 2 10/- notes were in this wallet with all those small papers. I took this wallet out of my pocket on the street on the way to the pub. I did not take wallet out of my pocket in the pub. Only thing I took out in the pub was this folder of pictures. On the street I took the money from my wallet & put in my pocket.

1st wit for prosecution Pte St Georges, A. recalled at request of Def. offr: - still under oath he is examined by the court: -

On the sidewalk on the way to the pub Cpl Legace took a wallet (his wallet) from his pocket & sd he had 4/- to drink. We were talking about how much money we had.

We sat at small round table. There were 2 red caps sitting near us - they talked just to the Cpl when they talked with the rest of the gang. On the table we had bottles of light ale & our glasses, also cigs. Did not see any wallet on the table at any time.

Defence closed.

Prosecutor's closing address: - case of theft. Reviews evidence. submits prison.

Def. offr on closing: - Gave statements taken 26 Sep. - offence alleged early of Aug. - nearly a month after. In meantime wallet has disappeared. why should there be such a delay. Seeing Rochdale's statement - address has good memory for details. Identity card issued in 1940, Rochdale says old wallet of 1 1/2 yrs wear, under these circumstances what state was identity card. Identification of wallet as Grenier's only circumstantial. In summary Grenier says wallet contained 20/- of himself. Delay has left room for much thought. Suggest Rochdale not worthy of belief, details given by this witness more specific than given by the other. Rochdale says zipper around 2 sides & cover says around 2 sides. Any wallet shown was shown on street. Rochdale confusing conversation on the street when asserting the amount of money each had. Amount of money spent corroborates that which they say. Cpl Legace sd he had 2/- when he was going & spent only 1/- - afternoon suggests evidence for prosecution is colored, due to delay. Arthro acid he found not guilty.

Judge Advocate sums up - points out definition of theft, credibility of witnesses; burden of proof on prosecution; reasonable doubt.

Instruction.

The evidence of the witnesses for the defence, including that of the accused, if he is a witness, will be taken here in the order in which they give evidence.