

F.G.C.M. IN THE CASE OF

B 23558 Spr MENARD, E.D., No 1 CERU

16 OCT 1944

EVIDENCE FOR THE PROSECUTION

D-3

1st WITNESS FOR THE PROSECUTION

R 31999 A/L/Cpl HOLT, H.B., on strength No 1 CERU having been duly sworn states:

I am the dispatcher of the tpt at 1 CERU at 1900 hours on the 29 Sep 44 I went to the tpt office to do by some work. I did not see the accused whom I recognize as Spr Menard, in the office that evening. I relieved Cpl Johnson who was on duty that evening, at one time I went out of the office and on my return I noticed that he was not in the office, a call came in for a veh and I went out to the lines to get one and the duty car that should have there was gone. I asked the duty driver Spr Phillips if he knew where it was and he told me that he did not. He went and looked and came back and confirmed that it was gone. I did not see the accused until I saw him at the summary. Later that evening L/Cpl Johnson came in and after that I went to the MT lines and the veh was back. There was authorized trip for that duty veh that evening after 2000 hours.

DEF OFFR DECLINES TO CROSS EXAMINE THIS WITNESS

In the opinion of the Court it is unnecessary to comply with RP 83(B)

2nd WITNESS FOR THE PROSECUTION

E 41466 Spr GRENDSCH, H.B.E., on strength N, 1 CERU having been duly sworn states:

PRESIDENT TO WITNESS: You are not compelled to answer any question or to give any evidence that might tend to incriminate you in an offence arising out of those same circumstances.

EXAMINED BY THE PROSECUTOR

On the night of 29 Sep I saw the accused, whom I know as Spr Menard, the first time in front of the NAAPF, I asked him what he was doing and he said he wanted to go to the pub. I asked him to come with me and we went to the MT office, he went into the MT office with me and only stayed a minute then went back outside. I got Cpl Johnson to take us in a car to the pub, as we came out of the office I said "come on kid we have a ride!" He did not ask me where ~~xxxx~~ we were going but came along and we got into the station wagon. He did not know any thing about the ride then or during the evening, he did not ask any questions about the car. We left the MT office at about 2000 hours. Spr Menard was with me until come back to camp, we returned in the same veh, CM 402621, we got back around 1030 p.m. and the accused went away to his quarters, he did not go on to the MT office.

CROSS EXAMINATION BY THE DEF OFFR

Q Did the accused hear you ask for the car?
A No Sir, he went outside before I spoke to Cpl Johnson. I did not mention to the accused that there was authority for the car being taken out.

In the opinion of the Court it is unnecessary to comply with RP 83(B)

3rd WITNESS FOR THE PROSECUTION

H 36593 A/L/Cpl Johnson, L.W., on strength No 1 CERU having been duly sworn states:

On the 29 Sep 44 when Spr Gendron came into the MT office the