

SECOND WITNESS

D-156047, Lance-Corporal Connor, J. of No. 1 Canadian Road Construction Company, Royal Canadian Engineers, a soldier of the Canadian Army Overseas, being duly sworn, states:-

" I am D-156047, Lance-Corporal Connor, J. On 18 Nov.44. I was Corporal of the Guard and in that capacity at approximately 1800 hours, I was ordered by Sergeant Mackay to make a search, using my flashlight, of the garbage area. Behind a cement slab and upon the ground I found a can of sausage meat, similar to can marked Exhibit "A". Lance-Corporal Turner aided me in the search. I, as ordered by Sergeant Mackay replaced the can where I found it."

The accused declines to question the witness.

J. Connor
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D-156047, Lance-Corporal Connor, J. of
No. 1 Canadian Road Construction Coy.,
RCE.

THIRD WITNESS

B-66597, Lance-Corporal Turner, G. of No. 1 Canadian Road Construction Company, Royal Canadian Engineers, a soldier of the Canadian Army Overseas, being duly sworn, states:-

" I am B-66597, Lance-Corporal Turner, G. On 18 Nov.44. I was Corporal of the Guard. At 1800 hours Sergeant Mackay ordered me to search with my flashlight the garbage corner at No. 3 Post. I was accompanied by Lance-Corporal Connor and Sergeant Mackay. We found a 2 pound tin of sausage meat on the ground behind a slab of concrete which was leaning against the wall which can is similar to the can here marked Exhibit "A". Sergeant Mackay removed the can. As a matter of routine I placed the sentry on No. 3 Post and instructed him to permit no one near the garbage or the gate. This is a twelve hour post and the sentry was removed at 0600 hours, 19 Nov.44. At approximately 0815 hours 19 Nov.44. Sergeant Mackay and I looked for the can behind the slab and found it missing. I was ordered by Sergeant Mackay to search the effects of the accused, aided by Sergeant Young. Sergeant Young found a 2 pound can of sausage meat similar to the can marked here as Exhibit "A" under a blanket on the bed of the accused. Sergeant Mackay ordered me to place the accused under arrest at 0845 hours 19 Nov.44.

Cross examined by the accused:-

- Q. Did you see Sergeant Mackay replace can of sausage behind the slab after it was found by Lance-Corporal Connor ?
- A. No.
- Q. Why did you think the can was there ?
- A. I was told by Sergeant Mackay that the can was replaced.

G. Turner
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B-66597, Lance-Corporal Turner, G.
of No. 1 Canadian Road Construction Coy. RCE