

SUMMARY OF EVIDENCE

Exhibit 1

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In the case of Lieutenant Carle James Mycock of 46th General Transport, Royal Canadian Army Service Corps, an officer of the Canadian Army, Overseas.

By direction of the Commanding Officer, this Summary of evidence is taken on oath.

FIRST WITNESS C
Prosecution

Capt Patric Terence Hugh O'Neill having been duly sworn states:-

I am Capt Patric Terence Hugh O'Neill, 2 Canadian Discipline Unit (NWE) On 14 Sept 46, I was in Brussels, Belgium as a result of information received I caused Lieut Mycock, whom I now identify as the accused, to be arrested at the Hague or Scheveningen, Holland. I visited Lieut Mycock later that afternoon after I had returned to the Hague, no statement was taken at that time. On 15 Sept 46 in company with CSM Sharp, J I visited Lt Mycock & cautioned him verbally, after which I wrote down the caution, gave it to Mr Mycock, he read it, then signed it. Sergeant Major Sharp & I both witnessed the signature, at the conclusion of the statement, I read over the statement, to Lieut Mycock, he signed it at the bottom of page one, and at the conclusion of the statement. The statement I now produce. The statement received, & marked as Exhibit "A". At a later date, as result of information received, I proceeded with CSM Sharp and one Pte Shelhorn to Nijmegen, Holland, where Pte Shelhorn took us to a restaurant, & identified a waiter, leaving the restaurant, Pte Shelhorn went in a car with the driver to a certain house in Nijmegen, at the same time CSM Sharp myself & the waiter proceeded on foot to the waiters home, when we arrived at the waiters home Pte Shelhorn was in front of the house in a car. We conducted a search of the premises, but nothing was found.

The accused declines to cross-examine this witness

(Signed (P T H O'Neill)Capt

SECOND WITNESS
Prosecution

K46682 Pte Melvin Garrell STONEY of No 1 Canadian Repat Depot, attached to No 2 Canadian Discipline Unit NWE Second Witness having been duly sworn states:-

I am K46682 Pte Melvin Garrell Stoney, of No 1 Canadian Repat Depot attached to No 2 Canadian Discipline Unit (NWE) On or about the first week in July 46 myself & Pte Shelhorn was in our room, in the billets of 46th General Transport. Mr Mycock came to the hall & called to me. I went into the next room "this was Sgt Perry's room", & closed the door. Mr Mycock said to me, I have a jackpot full of cigarettes, & asked me if I could, or would sell them for him. I don't remember what I said to that, but I must have said "yes". I went back to my own room, & asked Pte Shelhorn if he wanted to take the cigarettes out with me & help me to sell them. Pte Shelhorn then went to the Orderly Room to pick up his work ticket, we then went back upstairs & counted the cigarettes, there was 59,000 in all. They were in two cases. We then loaded them, "Pte Shelhorn & myself" into the back of Pte Shelhorn's truck, then we went to Amsterdam. We picked up a man on Rembrandt square, in Amsterdam, & sold 19,000 cigarettes to him for 4,750 Guilden, we couldn't sell the remaining 40,000 cigarettes, so, we brought them back to Scheveningen, and went to the "Monty's Hotel", where I seen Sgt Perry I gave him the money for the 19,000 cigarettes. I then asked him what I should do with the remaining 40,000, and he said put them in my room, and in the morning pick them up, and I will give you a work ticket, as director. The next morning, Pte Shelhorn & myself picked up the work ticket and went to the "Monty's Hotel" We then went to Sgt Perry's room. Sgt Perry was not in, so, his wife gave me the cigarettes. We went to "Hedrales" & "Milversum", and we could not sell the cigarettes at

either place. We then decided to go to "Nijmegen". We asked at different places and finally a waiter at a cafe said he would buy them then he took us to a private house in "Nijmegen"