

give, that there is reasonable ground for apprehending danger from being compelled to answer. In practice it is usual for the judge to tell the witness that he is not bound to answer incriminating questions.

"The objection must be taken by the witness and at the time the question is asked. The objection is taken on oath. A witness cannot refuse to be examined on that ground. He must be sworn, or affirm, and take the objection when what he thinks is an incriminating question is asked. The fact that he has answered one

or more questions relating to the matter does not prevent him objecting to other questions on this ground".

See also *Ex parte Reynolds* 20 Ch. D. 294; *Webb v. East*, 5 Ex. D. 23 and 108.

I am unable to discover any valid excuse for the non-attendance of the defendant before the inspector.

I therefore rule that the determination of the provincial magistrate upon his statement of the facts was correct in point of law and the conviction should be affirmed.

The seized cloth was sold by tender.

R. v. Martin

Theft—Evidence Obtained by Amateur Detective—Finger-prints—Cooperation Between Police Forces

Bruce Reginald Martin, ex-employee of a Chatham, Ont., hotel, was given plenty of time to ponder his mistake in accepting a free drink of beer when on Aug. 28, 1946, he pleaded guilty before Magistrate I. B. Craig at Chatham to two charges of Theft, s. 386 Cr. Code, and was sentenced to three months' imprisonment in the Ontario Reformatory on each, the sentences to run consecutively.

The accused's downfall resulted after Murray Crawford, youthful guest of the hotel, suffered several minor losses through theft from his room. Suspecting Martin, Crawford decided to play detective and before retiring on August 9 set

a trap for the thief by putting eight 50-cent pieces in a pickle jar on his dresser.

Next morning the money and a wrist watch that he had placed in one of the dresser drawers were missing. Later in the day the amateur sleuth met Martin in the hotel beverage room and treated him to a drink of beer. Surreptitiously he retained the drinking glass used by the suspect and subsequently it was sent along with the pickle jar to the R.C.M.P. Finger-print Section, Ottawa, Ont., where five finger-prints on the pickle jar were positively identified as being the same as those on the drinking glass.

R. v. Perzenowski et al

Murder—Geneva Convention—Prisoners of War Subject to the Laws of Detaining Power—Investigation Overcomes Countless Difficulties—Confessions—Appeals—Executions

In a classroom where he taught, Sgt. Karl Lehmann, one of approximately 9,000 German prisoners of war in internment camp No. 132 at Medicine Hat, Alta., was beaten and strangled by several of his fellow-prisoners. In their fanatic zeal they ordained him a traitor to Germany and ruthlessly took the law into their own hands. Without trial, given no chance to defend himself, Lehmann

was put to death. In life he was a doctor of philosophy and literature and under the camp educational system had taught French, English and Russian to other P.O.W.s

Members of the R.C.M.P. in company with the local coroner viewed the scene, examined it for finger-prints and took photographs and measurements.

Found hanging in the north-west