

OPENING ADDRESS BY DEFENCE

IN THE CASE OF

F39699, Spr. TURPIN G.L.

1 Cdn Road Constr Coy., R.C.E.

-c "J.V. ..."
V. ...
P.C.M.

Gentlemen, this case against Spr. Turpin is very confusing. The evidence brought out by prosecution is very poor. The element of doubt exists. The defence shall inquire into the time factor. The accused did not even have the opportunity to take this can. If he could not obtain the can then somebody else took the can and placed it in his bed. Somebody else is involved. The accused in his own statement on oath will explain his actions, (1) his presence at the out-of-bounds entrance at 1800 hrs Sat. but this is a time previous to when the can was taken, (2) from 0600 hrs to 0830 hrs Sunday. - At this time, ^{as in} Sgt. McKay's evidence the can is there. From that time on the can is under guard yet at approx 0800 hrs the can is in the accused's bed. How did it get there? Did the guard take it and put it there? Did the guard commander take it or did Sgt. McKay take it and put it in Spr. Turpin's bed. *Somebody must have found it there*

It appears that the guard was taken off for some reason after 0600 hrs. There is a time gap here on the guard over the can so the prosecution immediately states "HA! this is the time and the opportunity for the accused to take this can". The defence will show by evidence that the accused on reveille did report to the kitchen for duty and was there until called to report to his billet for bed check. How can you explain anybody getting up at such an hour to procure one salvaged tin of sausage meat? Gentlemen, this is most confusing to me and an utter waste of your time and mine, *but we shall attempt for regular*

McKay Capt
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