

REPLY TO THE PROSECUTION'S REBUTTAL ON SUBMISSION OF THE DEFENCE  
TO HAVE THIRD CHARGE, CASE OF A23406 PTE JONES, R.C., DISMISSED.

The Prosecution claims that evidence that the accused was found with a few of the articles reported as stolen, is evidence that Pte Jones stole them. It has been established that, one ladies tailored suit was found on the street, turned into the offices of the MP, identified by Mde Beyst and returned to her with the other articles. Mde Beyst stated that this suit was taken at the same time and from the same room as the other articles. The accused recalls giving away a dress to a girl for which he received nothing. I contend that he could have found the articles in any hallway or doorway, wherever it actually was, just as easily as the suit was found and that anyone could have stolen such articles. Would a man, who having stolen something, be likely to go out and give a dress away then practically ~~appear~~ parade around the streets? This man did not steal anything.

(Sgd) L Lewis Lt  
Defending Officer

WITNESSES FOR THE DEFENCE

First Witness: A23406 Pte Jones R.C. having been duly sworn, states:

I am A23406 Pte Robert Charles Jones, of 51 Coy 11 Bn CBRG.

Q. Had you consumed liquor on the night of 7 Nov 44?

A. Yes sir.

Q. How much?

A. I bought 4 quarts of gin and cognac and it was consumed among three of us.

Q. When interviewed by Sgt Sherwood on the morning of 8 Nov 44 were you told, or was it indicated that serious charges were going to be laid against you?

A. No Sir.

Q. Do you remember the location of the Cafe in or in the vicinity of which you acquired certain ladies' clothes and a few bottles of liquor?

A. No sir. I remember the first cafe, that's all.

Q. You stated that you picked these articles up in a hall, do you recall that hallway well enough to describe it?

A. No sir.

Q. According to Sgt Sherwood you mentioned giving away a dress, are you positive you gave a dress away?

A. I think I did sir.

Q. How much did you get for this dress?

A. Nothing.

Q. Will you tell the Court in regards to the 2nd charge, of creating a disturbance, who grabbed your arm, or you at the time of the alleged throwing of the ink bottle?

A. I don't know.

Q. Do you know if you threw an ink bottle?

A. I don't know.

*SRK*