

CROSS-EXAMINED BY THE DEFENDING OFFICER:

- Q.6 Were you at this place the day before?
A.6 No, sir. This night was the first time I had been there, but I have passed through the area before. I have played blackjack before.
Q.7 Have you played since you have been in the Army?
A.7 No, sir.
Q.8 Why did you look all around the room when you knew where the accused was?
A.8 I have never been in a Court Martial before, and I didn't know where the accused sits or anything like that.
Q.9 How much money was there on the table in front of the accused?
A.9 I don't know exactly how much there would be sir.
Q.10 Who took it?
A.10 Well, when they made a grab for the man, there was a bunch of players standing around and they grabbed it all.
Q.11 Did Lavoie grab some of his money too?
A.11 I don't think he had time to grab any sir.
Q.12 You held his arms?
A.12 No, sir, L/Cpl. Higgins held them.
Q.13 Did you get any money yourself?
A.13 No, sir.

PROSECUTOR: "In this case sir, the exhibit which might be of advantage to the Court, was not put in properly at the Summary."

THE COURT: "Well we don't use the Summary when the accused pleads 'not guilty'."

PROSECUTOR: "I am thinking of the notice to the Defence. Possibly it might be objected to."

DEFENDING OFFICER: "No, I have no objection."

RE-EXAMINED BY THE PROSECUTOR:

- Q.14 What did you see with regard to gambling material?

DEFENDING OFFICER: "I object to that question."

- Q.15 What did you see in regard to the game?
A.15 There was a cover with a blackjack routine on it, and there was a deck of cards?
Q.16 What is this?
A.16 That is the cover sir.

(Exhibit A, cover referred to with a blackjack diagram on it)

- Q.17 Has this money been in your possession?
A.17 No, sir.
Q.18 What are these?
A.18 These are the cards.
Q.19 Have you seen these cards before?
A.19 Yes, sir.
Q.20 What are they?
A.20 They are the cards Pte. Lavoie was dealing sir.

(Exhibit B, package of playing cards identified as above by the witness)

EXAMINED BY THE COURT:

- Q.21 This place where you saw this table you are talking about, would you say it was easy or difficult for civilians to get into that area?
A.21 Well, we went in with Army lorrys and we didn't have any trouble.
Q.22 You did not answer my question?
A.22 I would imagine that civilians could get in.
Q.23 Can you not answer whether or not it was easy or difficult for civilians to get in?
A.23 It would be fairly easy sir.

CROSS-EXAMINED BY THE DEFENDING OFFICER:

- Q.24 This was in a military camp, this place?
A.24 Well, its surrounded by military ground.