

SUMMARY OF EVIDENCE

In the case of F-39699, Sapper Turpin, G.L. of No. 1 Canadian Road Construction Company, Royal Canadian Engineers, Canadian Army Overseas.

The Commanding Officer directs that the evidence be taken on oath.

FIRST WITNESS

L-25810 Sergeant MacKay, J. of No. 1 Canadian Road Construction Company, Royal Canadian Engineers, a soldier of the Canadian Army Overseas, being duly sworn, states:-

" I am L-25810, Sergeant MacKay, J. I was acting in the capacity of Company Sergeant-Major for No. 1 Canadian Road Construction Company, on 19 November 1944 I was aware that there was some thieving of clothing and rations. At about 1300 hours I found the accused by the side gate where the garbage is kept. The troops are not permitted to use this gate. I asked him to explain his presence and he said he was going out. I told him he couldn't use this gate so he walked away, asking ~~suppose~~ what time was the bath parade. My reply was to the effect that there were no bath parades through this gate. I called the Guard Corporals, Lance-Corporal Connor, J. and Lance-Corporal Turner, G. and ordered them to make a search of the corner where the garbage was kept. Lance-Corporal Connor found a 2 pound can of sausage meat behind a cement slab. I took this can to Major C. Fraser, Officer Commanding No. 1 Canadian Road Construction Company. He marked this can by scratching on it initials, C.F. I now recognize this can as Exhibit "A". I put the can back behind the cement block and instructed Lance-Corporal Turner to so place a guard as to discover whomsoever may remove it. Next morning at 0800 hours Lance-Corporal Turner informed me that the can was still there when he removed the guard at 0600 hours. Upon examination, Lance-Corporal Turner and myself found the can to be missing. Corporal Duley, R.E. A.S.C. in charge of the kitchen, Lance-Corporal Turner and myself went to Sapper Turpin's billets and there I gave orders to Acting Sergeant Young and Lance-Corporal Turner to search Sapper Turpin's belongings in the presence of Corporal Duley and myself. A 2 pound can of sausage meat, which I identify as Exhibit "A" was found under the pallaise of Sapper Turpin's bed. I ordered Lance-Corporal Turner to put the accused under arrest and I placed the can in the Officer Commanding's office for safekeeping.

Cross examined by the accused:-

- Q. Who actually took the can off of my bed ?
- A. I believe it was either Sergeant Young or Lance-Corporal Turner.

John MacKay
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L-25810, Sergeant MacKay, J. of No. 1
Canadian Road Construction Coy., RCE.