

C

*Instruction.
(See R. P. 39 (A))
Question.

Proceedings on Plea of Not Guilty

*Do you wish to apply for an adjournment on the ground that any of the rules relating to procedure before trial have not been complied with, and that you have been prejudiced thereby, or on the ground that you have not had sufficient opportunity for preparing your defence?

Answer.

No, Sir.

The prosecutor makes an opening address ^{Prosecution will} ~~hands in a written address,~~
^{pieces acting together} which is read, marked, signed by the President, and attached to the proceedings].

The prosecutor proceeds to call witnesses.

First witness
for
prosecution.

G 18799 Plu Griolet, L.P., FusMP

being duly sworn, is examined by the prosecutor.

On 21 Oct 43 in afternoon about 1500 hrs I had a bit of explosion because I supposed to go on course the following Monday. All the surplus clothing I was to take to G.M. store. I returned to R.A.P. & while there I saw Scougrat & Payette pass by. My billet is about 75' at most from R.A.P. on the same street. I went in front of pioneer pl. billets & Scougrat asked me if I wanted to buy a box of candy. He told me that he had received the box from home the night before. I asked him to show it to me & when he opened it I told him it looked like my box of candy. He said, "are you crazy, do you take me for a thief". I said "No, I did not take him for a thief but it looked like my box of candy". I told him I was sorry but had no money. I returned to my billet & found my kit bag cut open. From the kit bag was missing my box about the size 1950 cups come in which contained a shirt, tie (civilian), pair of glasses, bottle of lotion, some soap, 3 pieces of gum & a comb, box of aspirins, and a box of candy (mixed). This box was missing between 1500 & 1600 hrs. This is my box of candy (Ech 'H') it is same box also as offered by Scougrat. I identify my kit bag (Ech 'I') & it is now in same shape as I found it on returning to billet. Cross-exam. Can't say exactly when Payette sleeps but he used to sleep on top floor. I cannot say if Payette moved in days ago or was sleeping in room from where I am living, I cannot tell you. Recognize box of candy because candles I had taken out of it - the box was sold later & some candy eaten. Ech 'H' is same box as in my kit bag. When I opened the box the last time I take out candy I used my knife & I paid very close attention to me of candies taken from box & used knife in such a way I could make sure it was mine. No marks on box when I received it. I didn't make mark on the box. The numbers on the box, can swear they were there but did not pay attention to the numbers themselves. There may be boxes with room then but now not always in same place. I did not take down now on box. Don't know now marked on box. Can identify it as my box because when I first opened I started to take the candies from the center & I took off a little paper on the side. Ech 'H' is the box in my kit bag. I cannot give any identification marks but that is the box. Re-exam. When saw it in T's hands I recognized as my box because way candies