

13 Mar 45

DJAG

FGCM - 3 Jan 45
 D.96253 Cfn Beaudin JHL
 ACES 13 Jan 2 1945

1. The accused was charged under AA 41 with stealing in that he in Brussels on or about 24 Nov 44 stole monies the property of one Mrs. Demol. He pleaded not guilty and was found guilty by the court. Her attn is directed to the observations of Rev 1. The evidence in this case may be summarized as follows:
2. The first witness, one Miss Demol, states that on 22 Nov she met the accused who asked her whether he could find a hotel for the evening as there was no hotel in that district. She took the accused to the home of her mother where the accused was given hospitality. That night (22 Nov) the accused slept in the brother's kitchen on the first floor. The two following nights he slept on the 2nd floor.
3. The 2nd witness, Mrs. Demol, (nurse): She met the accused who was brought by her sister-in-law on the 22nd Nov. The accused showed his military pass book. The first night the accused slept in the kitchen which is part of her apartment which the rest of the family do not usually use when she is not there as it is usually kept locked. She left the next morning (Thursday) and came back home only on Friday around 14 0 hrs. Before leaving she gave permission for the accused to stay in her apartment. On her return on Friday she went downstairs to get the key of her apartment and when she opened the door she noticed that the door communicating with the kitchen was open. She went in her bedroom and a small reading lamp was knocked over. She thought it was curious and she immediately opened the drawer where she kept her money in a chocolate box and the money was gone. She immediately went downstairs and told her mother-in-law about it. The last time she saw her money was on Wednesday night before the accused came in. She says that since she has been married and living in her present flat she never missed a sum of money before. While she is absent her mother-in-law keeps the key in the kitchen.
4. She also explained that 4 persons are living in the same house, on the ground floor - her mother-in-law and father-in-law; on the first floor - herself and her husband, and on the other side of the landing a young married couple with a baby who have lived there for 8 yrs and nothing has ever disappeared. Her father and mother-in-law and 2 sisters-in-law have their sleeping quarters on the 2nd floor. The money which was stolen was in her bedroom where the accused slept. Her husband was aware as to where the money was. She claimed that her bed room was never locked. When she arrived in her room on Friday she found the window open and stated that it is impossible for anyone to climb from outside to this window.
5. The 3rd witness was Mr. Demol, the husband of the previous witness. He learned about the theft on Friday. He did not sleep home on Thursday night and he told the accused on leaving home on Thursday that he was not coming back that night. Part of the money stolen was his savings.
6. 4th witness Mrs. Demol, mother-in-law. She states that the accused slept in the kitchen on the first night and that he slept on Thursday night in her son's room. On Friday morning when he went down for breakfast the accused asked