

SUMMARY OF EVIDENCE

Summary of Evidence in the case of D-122916 Tpr. AUSTIN, J.D., 1st Cdn. Arm'd. Car Regt., (R.C.D.), on Strength of No. 1 C.A.C.R.U., a soldier of the Canadian Army, Overseas.

By direction of the Commanding Officer the Summary of Evidence is taken on Oath.

First Witness  
for the  
Prosecution

L-53519 L/Cpl. Rice, C.A., 5th Cdn. Recce. Regt., on Strength of No. 1 C.A.C.R.U., a soldier of the Canadian Army, Overseas, having been duly sworn, states as follows:

"At Inkerman Barracks, Woking Area, on 5th August 1942 I was on duty in the archway. I picked up a Services Clothing Coupon Book No. ZB 485101, bearing the name of Tpr. Austin, J.D. and giving his number D-122916 printed as holder of book, which I now identify as Exhibit "A". I turned this in to Cpl. Miller, J.J. of the Provost Staff."

*W. J. Sutherland  
Major  
4 Nov. 42*

*C. A. Rice*  
L-53519 L/Cpl. Rice, C.A.,  
No. 1 C.A.C.R.U.

The accused declined to cross examine this witness.

Second Witness  
for the  
Prosecution

C-70459 L/Sgt. Wright, B.F., 4th Cdn. Recce. Regt., on Strength of No. 1 C.A.C.R.U., a soldier of the Canadian Army, Overseas, having been duly sworn, states as follows:

"At Inkerman Barracks, on 21st July 1942 I was on duty in the Orderly Room. I gave 37 books of Services Clothing Coupons Nos. ZB 485100 to ZB 485106 to Tpr. Austin, J.D. to be taken to the C.M. Stores. On his return he reported that two books were missing. I reported this immediately to the Staff Sergeant, Staff Sgt. Cuthbert, D.J. Upon a check being made, I found that Clothing Coupon Book Nos. ZB 485100 and ZB 485101 were missing. I now identify Clothing Coupon Book No. ZB 485101 as exhibit "A". I cannot identify exhibit "B" without its cover and number."

*B. F. Wright*  
C-70459 L/Sgt. Wright, B.F.,  
No. 1 C.A.C.R.U.

The accused declined to cross examine this witness.

Third Witness  
for the  
Prosecution

L-22102 Sgt. Wood, A.J., (Provost Sergeant), 5th Cdn. Recce. Regt., on Strength of No. 1 C.A.C.R.U., a soldier of the Canadian Army, Overseas, having been duly sworn, states as follows:

"At Inkerman Barracks, on 10th August 1942 I was on duty in Regimental Police Office when after being duly warned by R.S.M. Sutherland that the accused Tpr. Austin, J.D. was going to be charged with the theft of the two Clothing Coupon Books. He warned Tpr. Austin, J.D. that it was not necessary for him to make any statement, but any statement he made, may be taken down in writing and used in evidence against him. Tpr. Austin, J.D., then did make a statement acknowledging the theft of the two Clothing Coupon Books. One bearing the name of J.D. Austin, Tpr. on the cover which I now identify as Exhibit "A".

*A. J. Wood*  
L-22102 Sgt. Wood, A.J.,  
No. 1 C.A.C.R.U.

The accused declined to cross examine this witness.