

Prosecution has closed its case, then the Defending Officer may make a submission, or proceed with his defence, as he sees fit, in accordance with whatever decision he has made.

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THE DEFENDING OFFICER: I submit, sirs, that no prima facie case has been made out against the accused, and he should not be called upon to give evidence.

THE JUDGE ADVOCATE: You have to go further than that. You have to state your reasons.

THE DEFENDING OFFICER: Well, sirs, it seems to me that this specific brand of butter and lard is used and can be purchased in other stores and shops throughout this district; that fifteen apples and two cans of salmon constitute a very small matter. I submit that the accused had fifteen apples and two cans of salmon, which he had gotten from the Sergeants' Mess, and I shall endeavour to prove that he was going to have his supper with friends of his, which is the usual thing in a Camp, and under those circumstances, I re-iterate that I do not think the facts have been proved, and I submit that no case has been made out.

THE PRESIDENT: Mr. Prosecutor, do you wish to address yourself on that point, at all?

THE PROSECUTOR: No, sir.

THE PRESIDENT: The charge sheet reads:

"The accused is charged with being, when concerned in the care of public property".

There is no doubt he was concerned with the care of public property. According to Rule 17, the foot-note, the Court may use its military knowledge. That deals with that point.

The next part of the charge is:

"Stealing the same, in that he did, while a cook in the Camp's Sergeants' Mess, he stole the ar-