

TRIAL OF

H-9040

PRIVATE

CYRENNE B

CIC - 4 CITER

PROSECUTION

FIRST WITNESS

D-56219 SGT BRAIS JSN, CIC, 4 CITER, sworn, states:-

- Q. Could you tell the Court what happened on the 19th of July at night at 4 CITER?
- A. On the night of 19 Jul 45 at approx 2300 hrs, myself, two men of the Provost Corps and one civil police and Lt Savoie went to the living quarters of the accused and examined his kit. He was not present. Personally, I found this mirror (witness produces a mirror); it was on his bed. The blankets had been pulled around and the paillasse had been overturned; one of the Provost had emptied the kit-bag which was near his bed into the bed; it was then that I found the mirror among the kit on the bed.

(MIRROR MARKED EXHIBIT 1 BY THE COURT)

- Q. Did you see anybody pick up a leather jerkin?
- A. A leather jerkin was thrown at me by one of the Provost; I don't know where they got it; it was around there, that's all I know about it.
- Q. Could you recognize this leather jerkin?
- A. Yes, Sir.
- Q. (The Pros Offr shows the witness a leather jerkin) Is this the one that you saw that night?
- A. This is the leather jerkin; I know this because it has no Canadian stamp on it.

(LEATHER JERKIN MARKED EX 2 BY THE COURT
FOR IDENTIFICATION)

- Q. What about the cap that was found?
- A. A beret was also thrown to me by a Provost; this is the one here; I recognize it as such because I couldn't find a Canadian stamp on it and this one has no stamping mark on it and the size is 7 3/8. It is supposed to be a tank battalion beret.

(ONE CAP TANK BN MARKED EX 3 BY THE COURT
FOR IDENTIFICATION)

- Q. How do you know that it was the bed of the accused?
- A. I went in that hut where I knew the accused slept; I was not sure of the bed; we found out the location of his bed from the cooks who live there; I didn't notice that his name was on any of the articles or kit-bags on his bed; after the kit-inspection, I asked the accused to produce his Pt III Pay-book. He said that he didn't have it and never produced it. The accused made some statements to me about these articles

QUESTIONS BY THE COURT

- Q. Did you caution him?
- A. No, Sir.

PRESIDENT OF THE COURT TO THE WITNESS

The statement will not be taken in evidence.

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