

SECOND WITNESS CONT'D

"Whilst in the Orderly Room the three soldiers were very noisy and objected strongly to being held for questioning. All three challenged me to a fight and asked me to go outside. During the argument Pte Jones picked up a bottle of ink and threw it at L/Cpl MacDonald. We managed to quiet them down and I took down the particulars and had them escorted to Leopold Barracks."

"I turned the property over to Special Investigation Section."

(Sgd) A.T. Tousignant

R.P. 83 (b) have been complied with.

The accused declines to cross-examine the witness.

THIRD WITNESS

C31008 Sgt Sherwood, J.A. No 1 S.I.S. Cdn Pro Corps, sworn states:

"At approx 2230 hrs on 7 Nov 44 I was informed by No 7 Pro Det that a private room in the Cafe "Au Pre Fleuri" at 4 Kuiperskaai St, Ghent had been broken into allegedly by soldiers."

"I visited the room in the Cafe where I interviewed Mde Julia Beyst the owner of the Cafe and room. I found on investigation that the door of the room had been locked and that the thieves had gained admittance by breaking in the complete top panel of the door to the room and forcing open the door of the wardrobe. The doors of the wardrobe which had also been locked had been pried open."

"On returnign to the detachment a Cpl of the Pro Corps turned over to me the following articles:

- 7 Ladies' dresses
- 2 Light cloth coats
- 2 bottles of Cognac
- 2 Bottles of Picon Liqueur

I contacted Mde Beyst and she identified all these articles as her property. I handed them all back to her."

"I interviewed Pte Jones at the Guard Room of Leopold Bks on 8 Nov 44. I told him who I was and explained why I was interviewing him. I cautioned him that he need not say anything unless he wished to do so but whatever he did say would be taken down in writing and might be used as evidence. He told me that on the evening of the 7th Nov 44 he was with two other soldiers and they went into a Cafe. He did not know the name of this Cafe. He stated that the other two soldiers left the Cafe before he did. He followed them and when in the hall inside the main door he saw a lot of ladies' clothes and underneath them were four bottles of liquor. He said he picked up the clothes and bottles and carried them outside. He met the other two and walked with them down the street. He said that he went with them into another cafe still carrying the clothes and when he came out he gave a dress to a girl whom he had never seen before. He also stated that a Provost Corps Jeep arrived and took him and the other two soldiers to their office."

(Sgd) J.A. Sherwood

R.P. 83 (b) has been complied with.

The accused declines to cross-examine the witness.