

SUMMARY OF EVIDENCE
IN THE CASE OF

31 Jan 45

R-11969 Cnr Wyton, A.C.

First Witness
For the Prosecution

C-07206 GSM Myles, R.T., Canadian Postal Corps, attached to #1 C&P, a soldier of the Canadian Army Overseas, having been duly sworn, states : -

Commencing at 1900 hrs, 4 Jan 45, I was acting as Orderly Officer in the Main Building of #1 C&P. The duties consisted of hours of the building and also security and the protection of mails in the building. On information received about 0645 hrs 5 Jan 45, I had Cnr Wyton, A.C., whom I now recognize, paraded to me by Cpl Wakelyn and Cpl Andrews at the Orderly Room of #1 Cdn Postal Tracing Unit. I asked Cnr Wyton if he had any Canadian cigarettes and he produced a package of British Royals of which one cigarette was missing. I took the package from him and examined it. I found a mark inside the package. I hereby produce and hand in the package of cigarettes (Marked Exhibit "A"). I then drew up a report to the Officer Commanding, #1 Cdn Postal Tracing Unit, which I now produce and hand in. This report was signed by myself, Cpl Wakelyn and Cpl Andrews. (Marked Exhibit "B").

The accused cross-examined the witness.

Question 1: Did you previously see this package?
Answer 1: No.

Question 2: Did Cpl Andrews?
Answer 2: I can't tell you.

Question 3: On what authority did Cpl Wakelyn place the package where it was found?
Answer 3: I don't know.

Question 4: Was Cpl Andrews a witness to anything that went on before I was paraded on 5 Jan 45?
Answer 4: I can't say.

R. J. Myles

C-07206 GSM Myles, R.T.

The report to Officer Commanding, #1 Cdn Postal Tracing Unit, signed by GSM Myles, Cpl Wakelyn and Cpl Andrews, produced as documentary evidence, was read over to the accused, marked Exhibit "B", signed by me and attached hereto.

G. A. Williams Lieut

G.A. Williams, Lieut