

Q.1287 Yes, and perhaps you would assist the Court final and I will give you a set of circumstances to help you in your opinion, that if an officer in Brig. Lister's position who, of course, you knew as Chief of Staff and DA & QMG, -- if such an officer took a flat and spent his leave in it, what would you say as to that, judging it by the standard, of course, at that particular time and this particular theatre?

A.1287 Well, I should think there was nothing unusual in that at all. Of course, flats vary.

Q.1288 I quite appreciate that.

A.1288 But an ordinary flat, I should say there is nothing unusual about it at all.

CROSS-EXAMINED BY THE PROSECUTOR:

Q.1289 If the flat, General Lloyd, consisted of a three storey house with eight rooms, sleeping and living rooms, kitchens, store rooms, lavatories and what not, and a staff of four or six civilians to manage it, what would be your opinion as to that, as to its reasonableness for the purpose of a ten day leave?

A.1289 Am I to understand that this place was taken solely for a leave?

Q.1290 Well, in the set of circumstances set to you by my friend, I would say that, yes?

A.1290 Well, I don't know. On the assumption that this place was going to be used by a series of senior officers.....

Q.1291 But that is not the assumption I am trying to put to you.

MR. GAGE:

It is an assumption that my friend is putting. I had my own.

PROSECUTOR:

I am putting the same assumption, describing the premises. The assumption is for a ten day leave.

WITNESS:

Eight rooms?

PROSECUTOR: (Resuming cross-examination)

Q.1292 Eight rooms, yes.

JUDGE ADVOCATE:

That is not hypothetical.

MR. GAGE:

If my friend insists on this he will have to alter