

Q. Was there anything unusual?
A. No sir.

Q. How much money did he have?
A. I believe he had about 4 pence. I am not positive.

Q. After he was searched what else did he find?
A. Two packages of BC and the practically empty package of Buckingham.

Q. That was all?
A. Yes as far as I recollect.

Witness cross-examined by the Defence

Q. You stated that the two packages of BC's that were taken from Stanley were BC 25's. Were they 25's or 20's?
A. I couldn't actually answer that. I am not positive that they were 25's. I have had my BC's in 25's and that is probably why I said that.

Q. You couldn't be certain whether they were 20's or 25's?
A. That's right sir.

Q. What was done with them when they were removed?
A. Put in an envelope.

Q. When you went to this other building what happened to the envelope?
A. CQMS Naylor had them in his charge.

Q. You left the cigarettes and the accused with Naylor?
A. Yes sir. When we first got back from picking up Stanley I told L/Cpl Atkinson to go to his billets and stay there. When we subsequently went down to house 18 they showed us where the cigarettes were cached and we got them out and saw the similar markings.

Q. When you went from Naylor's office to house 18 the cigarettes were removed from Stanley's person and stayed right there or did they go down to the house with you?
A. They stayed in Naylor's office.

Witness re-examined by Prosecution

Q. You were asked with reference to the size of the packet of cigarettes. What size would you say the exhibits which you were shown were?
A. I would say they were 20's.

Q. You are positive?
A. I am not positive, I think they were 20's.

IN THE OPINION OF THE COURT AND THE JUDGE ADVOCATE IT IS NOT NECESSARY TO COMPLY WITH RP 83 (B)

FIFTH WITNESS D-76466 S/Sgt Miller NL, SIS, Cdn Provost Corps, CMHQ, having been recalled and still under oath, is examined by the Prosecution:

Q. Would you tell the Court starting from the time of the search of the accused as to just what happened?
A. Stanley had taken everything out of his pockets and laid it on the table. I asked him if he had taken everything out and he said yes. I then proceeded to search him and found two packages of BC cigarettes and also some money