

CWS

8th WITNESS:

P.O. 143T Charles Lindsay, Staines Police Department, having been duly sworn, states:-

I can identify the accused. At 0407 A.M. May 21st 1942, in consequence of a message received I proceeded to Staines Market Square and waited for the approach of a Ordnance Motor Vehicle that was approaching Staines from Farnham. At about 4.30 A.M. an Army vehicle driven by the accused came over Staines Bridge in the direction of London. I had previously elevated the fog lamp of the car and having switched it on drove up the street in the direction of the oncoming vehicle. The light of the fog lamp compelled the driver to stop the vehicle. W.R. Carpenter went to the off-side of the vehicle and opened the door. I saw him put his hand into the vehicle and then I noticed he was then in possession of a revolver. At the same time I saw the accused turn to his left and P.C. Grant who was on the near-side when the door opened took a Tommy Gun from the cab of the vehicle. By this time P.C. Salter had got out of the car and had approached the driver. P.C. Salter then placed the accused under arrest. I then conveyed P.C. Salter and the accused in the car to the Police Station. I drove in the Army vehicle to Staines Police Station and was present when the gas mask case of the accused was searched and the loaded S.M.G. magazines found there. The revolver was loaded and there was a loaded magazine attached to the Tommy Gun. I removed the magazine from the Tommy Gun under instructions given by the accused.

QUESTIONS BY THE COURT:

Q. 10. Can you identify Exhibit 'H' ?
A. 10. It is probably the same one.

Q. 11. Can you identify Exhibit 'J' ?
A. 11. It is the same type as taken from the accused.

Q. 12. Was the S.M.G. cocked?
A. 12. Yes.

Q. 13. Would you say that the accused was under the influence of a drink?
A. 13. Definitely no, Sir.

CROSS EXAMINATION:

Q. 14. How far away was the Army vehicle when you first shone your fog lamp towards it?
A. 14. It was about 75 to 100 yards away.

Q. 15. At that range would the lamp blind a person?
A. 15. Not until he came closer.

Q. 16. Did the accused have any weapon in his hand when you approached the vehicle?
A. 16. I never saw one.

Q. 17. When you spoke to the accused what was his condition?
A. 17. He appeared quite rational.

Q. 18. Did you see the accused later on?
A. 18. Yes, about three hours later.

Q. 19. Had his mental condition changed?
A. 19. No, he appeared the same.

Q. 20. Was there at any time any smell of liquor on his breath?
A. 20. I never noticed any.

Q. 21. Any time you had conversation did he mention the fact that he had previously been drinking?
A. 21. No, Sir, he never spoke on the way down to the station.