

aroused and I suggest, sir, that he knows who was driving that vehicle. He did not take the action at all although he says his suspicion was aroused. Then, I bring out the point of his conversation with M. Lawrence and that not much time had elapsed.

There is the question as to whether or not the side curtain was on the driver's door. Assuming it was on the door for an conveyance of that type which should have been carried there, if you know these curtains, that door would have to be opened and I would further doubt strongly the identity of a door through one of those windows after nightfall and after darkness had fallen.

I have already gone into the question of the entry made on the film at the gate. That, of course, cannot be identified. In the second witness, Ed. Swann, gave the number of the vehicle without hesitation. He has had time to refresh his memory and to see has been able to see the documents. I submit, therefore, that his evidence must be forgotten about.

The vehicle is found near the 4th. Mass. How it got there we do not know. But it does not concern this Court today as the charge is taking and using that vehicle improperly. The accused was found in possession of the keys and can be convicted of taking and using them. We do not know the circumstances under which he came in possession of the keys. Unfortunately, he does not know of what happened the night before.

Again I bring up the point of the authorization of the vehicle. It has not been established here that he was not permitted the transport except by one official only who had not given him authority to use any vehicle. Probably he was away for a time. But that's