

agreed that we would inform no one else except the CSM or OC. We also thought that someone might come in during the live show being held in the men's Mess. Sgt Satterlee and L/Cpl Atkinson saw that the front door was securely bolted, and I locked myself in the small room upstairs from 1900 hrs until 2031 hrs. By means of a mirror about 2" by 4" placed at the window in such a position that I could sit in the room and see the reflection of the sidewalk directly in front of the back door, the railing and gate to the backdoor and the backdoor itself. I could see anyone going through the backdoor. The only persons that used the door during this period were L/Cpl Atkinson and Sgt Satterlee at approx 2130 hrs, when Sgt Satterlee took over the watch. If anyone had entered the house by means of a window I would have heard them as I was alone and it was very quiet. We kept guard on the cache between Sgt Satterlee, L/Cpl Atkinson and myself, until some of the cigarettes were taken. The markings on these British Consol cigarettes shown as Exhibit A and B are absolutely identical with the cigarettes Sgt Satterlee, L/Cpl Atkinson and myself marked on the evening of the 7th of AUGUST 1946.

The Accused declines to cross-examine the witness.

SIXTH WITNESS
FOR THE
PROSECUTION

D-76466 S/Sgt Miller N L, SIS, Cdn Provost Corps, CMHQ, having been duly sworn states:

At 1720 hrs 8 Aug 46 I proceeded to Bordon Hants to investigate the suspected theft of cigarettes, property of M-50327 L/Cpl Atkinson G B. Upon arriving in Bordon I proceeded first to 7 Artizan Works Coy RCE and then accompanied by CSM Weir and CQMS Naylor I proceeded to Starford Hill where I saw Spr Stanley getting off the bus. He was requested to accompany me back to his unit orderly room where he was questioned. Upon being searched Spr Stanley was found to be in possession of two packages of marked British Consols Cigarettes (Exhibit B) He denied the theft of these cigarettes and at 1925 hrs 8 AUG 46 was placed under close arrest and escorted by me to the guard room at No 1 Adm Tpt Coy to be detained. At 1000 hrs 10 AUG 46 I interviewed Stanley with a view to obtain a statement in writing concerning the theft of the cigarettes. After being duly cautioned, Stanley volunteered the following statement. (Statement attached as appendix "A")

The Accused declines to cross-examine this witness.

THE ACCUSED WAS CAUTIONED AS FOLLOWS:

Do you wish to make any statement or to give evidence on oath? You are not obliged to say anything or give evidence unless you wish to do so, but anything you say or any evidence you give will be taken down in writing and may be given in evidence."

The Accused reserves his defence.

"I certify that the above Summary of evidence consisting of four pages, was taken down by me in the presence and hearing of the Accused, and that Rules of Procedure 4 (c) (d) (e) and (f) have been complied with."

.....*G. J. Lawton*.....
(G J Lawton) Lieut
Officer detailed to take
the Summary of Evidence.