

STATEMENT BY DEF OFFR ON THE FINDING

Gentlemen of the Court:

You just heard the accused Pte Campbell giving you his side of the story. When Lt Lowden came in the hut he did not hesitate to show his kit because he knew that nothing was wrong with it.

As I said before Sup McDougall and Cpl Robinson have failed to identify the goods. They could not swear that they were one of the YMCA. In the evidence of the accused he sworn that the barrack box did not belong to him. How can a man be convicted for goods that witnesses fail to identify first and secondly that the goods found in a barrack box not belonging to the accused. Furthermore he said that he never touch anything in the YMCA. That it was impossible for him to take anything without the knowledge of the YMCA helpers. If you do not find the accused guilty of larceny, which you will not do because there is no evidence purporting the charge, you will not be able to find him guilty of being in improper possession of the goods for the same reasons. That is 1st failure to identify the goods for the prosecution 2 what the accused told the Court that the barrack box did not belong to him.

EMM