

Q. Did you sleep there the night of 31 Mar - 1 Apr?

A. I believe I did.

Q. Was there any period in which you are not in the canteen?

A. Several times during the day it is locked up but no one is there.

Q. Did you ever leave the accused there alone?

A. Yes, but only to go outside, and I could see him through the window, and besides I always came right back in.

Q. You never left him alone there in charge?

A. No.

IN THE OPINION OF THE COURT IT IS UNNECESSARY TO COMPLY WITH RP 83(B).

FOURTH WITNESS:

DL30038 Lcpl DONOFRIO J, 22 CSEC, having been duly sworn states:

On 1 Apr we had a kit inspection by Lt Lowden and I assisted him in Hut 9 and we searched every kit bag until we reached the bed of the accused, whom I now recognize, and we searched his kit bag and found nothing, but we found a box beneath his bed and he was asked if it was his and he said no. Exhibit "A" is the box. There was a name on the box by the name of Duthrie. We took it over to the Orderly Room, opened it, and found it just as it is now.

Q. Was Exhibit "B" in the box also?

A. Yes.

(Witness continues)

Sometime ago a Cpl Sherry recd a parcel, I saw him open it, and he treated us, and the accused said he needed the empty box and Sherry said he could have it and gave it to him. I don't know what happened after that. This conversation was in Hut No 9. Sherry is not with us now.

Q. Was the box empty when the accused took it?

A. Yes.

Q. Is Exhibit "B" the box?

A. Yes.

Q. That box, Exhibit B, has in it a doll and a rabbit, did you ever see them before?

A. No.

Q. Did Sherry give the accused a doll and a rabbit?

A. I don't know.

Q. Was there a doll and a rabbit in Sherry's box?

A. I didn't see any sir.

CROSS EXAMINED

Q. Were you kit inspected in Hut 9 that day?

A. Yes.

Q. Did you actually stay in the Hut after the inspection was made?

A. I couldn't because I was on duty, I'm an RP.

Q. Did you go to the Orderly Room with Lt Lowden?

A. Yes.

IN THE OPINION OF THE COURT IT IS UNNECESSARY TO COMPLY WITH RP 83(B).

END