

Restrict Crown In Examination Of Gen. Simonds

By WILLIAM BOSS

Amsterdam, May 9 (CP).—Lt. Gen. Guy Simonds of Kingston, Ont., will appear as a prosecution witness tomorrow morning before a court martial trying Brig. J. F. A. Lister, 39, of Quebec City and Victoria, B.C., on charges of misappropriation of requisitioned property in Amsterdam.

Gen. Simonds, former commanding officer of the Canadian Army in the Netherlands, has been mentioned by the defendant at various stages of the court martial. Yesterday Brig. Lister said he "was dumbfounded and absolutely furious when Simonds suspended me Jan. 1 (1946) because so-called reliable information implicated me in the alleged appearance of Canadian Army wines and spirits on the Dutch black market."

"Completely Exonerated"

The brigadier added that a court of inquiry "completely exonerated me as of any such suggestion."

Lt.-Col. Bruce Macdonald of Windsor, Ont., chief prosecutor, was instructed that he may examine Gen. Simonds on four points only:

1. The practice of senior officers in the matter of accommodation during the period covered in the Lister charges;

2. Any knowledge Gen. Simonds may have had of use by Brig. Lister of No. 58 Orangenassaulaan—the property he is alleged to have misused following its requisition;

3. The necessity of Brig. Lister being established in Amsterdam for other than recreational purposes;

4. The official attitude regarding use of civilian property by the Canadian Army.

The court informed Defense Counsel Lt.-Col. C. H. Gage that he may cross-examine Gen. Simonds without restriction.

Gen. Simonds is due to arrive from the United Kingdom by ship at 7 a.m. tomorrow and he will appear at 10:30 a.m. The trial is expected to conclude tomorrow night.

Ottawa, May 9 (CP).—Maj.-Gen. E. L. M. (Tommy) Burns, Director-General of Veterans' Rehabilitation, said today there was "no truth whatever" in a statement about himself attributed to Brig. J. F. A. Lister in testifying in his own defence in an army court martial in Holland.

An Amsterdam dispatch quoted him as saying that "in using requisitioned premises in Amsterdam he said he 'followed the lead of others' such as Gen. Burns. . . . Brig. Lister said he once obtained a villa south of Naples for Gen. Burns."

Former commander of the 1st Canadian Corps in Italy, Gen. Burns issued this statement:

"There is no truth whatever in Brig. Lister's statement regarding me. At no time in Italy did I occupy a villa, flat or other dwelling other than as a headquarters and with the usual staff officers in residence with me.

"Neither Brig. Lister nor anybody else secured a villa for me."

While Gen. Burns commanded the Corps, Brig. Lister was his chief quartermaster.

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