

SUMMARY OF EVIDENCE
IN THE CASE OF

Summary of Evidence in the case of P.35056 A/S.Q.M.S. Simon, R.W.B., Royal Canadian Ordnance Corps, on strength of No.5 Sub-Depot, 1 C.B.O.D. attached for all purposes to No.1 Sub-Depot, 1 C.B.O.D., a soldier of the Canadian Army Overseas.

By direction of the Commanding Officer, the Summary of Evidence is taken on oath.

FIRST WITNESS
for the pro-
secution.

A.89308 Gnr. Carter, G.A.A., on strength of No.1 C.A.R.U. attached for all purposes to No.1 Sub-Depot (M.T.Stores Coy) 1 C.B.O.D., a soldier of the Canadian Army Overseas, having been duly sworn, states as follows:-

I started my duty at 1800 hrs., on 1 Jan 44 as sentry on Main Gate, No.1 Sub-Depot, 1 C.B.O.D., and everything was going alright until at 1840 hrs. this one truck came to the gate and we stopped it. When it came out I noticed that the left headlight was painted over, the same as the old truck '5115. So I went to the side of the truck, the two of us, and asked the driver for a chit. He started to reach out to feel up along the top of the windshield for the chit, but it wasn't there. So he replied that it was a B.O.W. truck and did not need a chit. So I read the number on the side of the truck to the other guard to put on the chart. The other lad asked for the driver's name after he had written the number down, and he replied it was Jones. So I was walking back to the back of the truck I heard the other guard reply: "You must be one of the Jones boys". He started to come back to the back of the truck where I was, so I told the driver to go on. We noticed our mistake and reported to the Guard Officer. We went off duty at 2000 hrs. I recognize the driver as sitting in this room.

It was reported by Sgt. Element that it was the C.B.O.D. truck.

The accused declines to cross examine this witness.

A.89308 Gnr. Carter, G.A.A.,
No.1 C.A.R.U. Attached fap
No.1 Sub-Depot, 1 CBOD, RCOG.

SECOND WITNESS
for the pro-
secution.

C.492 Gnr. Swan, T., on strength of No.1 C.A.R.U. attached for all purposes to No.1 Sub-Depot (M.T.Stores Coy) 1 C.B.O.D., a soldier of the Canadian Army Overseas, having been duly sworn, states as follows:-

On the night of 1 Jan 44 at approx. 1840 hrs., in the company with with Gnr. Carter, I was on duty at the main gate of No.1 Sub-Depot, 1 C.B.O.D. A truck was stopped by Gnr. Carter. The truck was proceeding out of the compound. Gnr. Carter read the number of the truck out to me, which I wrote down on the sheet for that purpose (a sheet is handed to the witness). I recognize the sheet and the entries I made on it. I heard Gnr. Carter ask for a chit and the driver, whom I now recognize, said that he didn't need one as it was a B.O.W. truck. I then asked him for his name, which he gave as Jones. He was allowed to proceed. My suspicions were aroused mainly because of evasive answers and the name Jones - that made me a little suspicious too - so I went and reported the matter to the Guard Commander.

The accused declines to cross examine this witness.

C.492 Gnr. Swan, T.,
No.1 C.A.R.U. Attached f.a.p.
No.1 Sub-Depot, 1 CBOD, RCOG.

C.492 Gnr. Swan T