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Original

RJH

Summary of Evidence in the case of B-157259, Pte. Burton, J.E. 4 Cdn Arm'd Div Ord Fd Pk . RCOC, Cdn Army Overseas, charged with:

**FIRST CHARGE**  
Sec 10(4)  
Army Act

WHEN ON ACTIVE SERVICE BREAKING OUT OF CAMP

in that he

in the Field, on the night of 22/23 Oct 44 while undergoing Field Punishment broke out of camp.

**SECOND CHARGE**  
(Alternative)  
Sec 40  
Army Act

CONDUCT TO THE PREJUDICE OF GOOD ORDER AND MILITARY DISCIPLINE

in that he

in the Field, at approximately 1915 hours 22 Oct 44 while undergoing Field Punishment was not in his quarters or within calling distance thereof when required by S/Sgt Lefevre F.A. who had a duty for him to perform, to shop wood and keep the fire going in the Mens' Recreation Room.

THE C.O. DIRECTS THAT THE EVIDENCE BE TAKEN ON OATH.

FIRST WITNESS

L-9137 SQMS Clunie, G.E.A. of the 4 Cdn Arm'd Div Ord Fd Pk RCOC having sworn states:

The accused No. B-157259, Pte. Burton, J.E. of the 4 Cdn Arm'd Div Ord Fd Pk RCOC was awarded fourteen (14) days Field Punishment on the 18 Oct 44 and on the night 22/23 Oct 44 he was still undergoing Field Punishment, which entailed his confinement to camp area.

.....  
*[Signature]*  
.....

SECOND WITNESS

C-98701, Pte. Tetrault M.E. of the 4 Cdn Arm'd Div Ord Fd Pk RCOC having sworn states:

On the night 22/23 Oct 44 I was a roving picquet of the camp together with B-95854 Pte. Stevenson, G.F. My tour of duty was from 1800 to 2015 hrs, and I started out on a round of the camp from the main gate walking towards the centre of the camp when we stopped at the Salvage unit where we met Pte. Burton who was in the company of Pte. Greff. We talked for a few minutes then proceeded on our round. On completion of round we were returning towards the main house where we met S/Sgt Lefevre who was Orderly Officer for the day. He stopped us to ask if we had seen Pte Burton and Pte. Stevenson said "He had gone out" afterwards I said that the last time I saw him was at the Salvage. Then S/Sgt Lefevre ordered us to remain at the main gate for the remainder of our tour of duty and to place Pte Burton under open arrest as he entered the gates. Pte Burton did not return during my tour of duty to my knowledge. I do not remember the exact time that S/Sgt Lefevre asked me about Pte. Burton.

.....  
Witness cross-examined by the accused

- Q. "Do you remember the exact words that Pte Stevenson said in answer to S/Sgt Lefevre's question?"
- A. "Yes", he said "He had gone out."

*[Signature]*