

ADDITIONAL SUMMARY OF EVIDENCE

In the case of

B-116423, Private Donald St. Clair ANDERSON, Royal Canadian Army Medical Corps, No. 1 Canadian General Reinforcement Unit, a soldier of the Canadian Army, Overseas.

The Commanding Officer directs that evidence be taken on oath.

THE FIRST  
WITNESS FOR  
THE PROSECU-  
TION IS RE-  
CALLED

Captain William Harold ROSE, Royal Canadian Army Medical Corps, No. 1 Canadian General Reinforcement Unit, having been duly sworn, states:

"I am Captain William Harold Rose, Royal Canadian Army Medical Corps, Medical Officer of No. 1 Canadian General Reinforcement Unit. At the First Aid Post of No. 1 Canadian General Reinforcement Unit, at approximately 1000 hours on the fourteenth day of November, 1944, I ordered the accused No. B-116423, Private Anderson, D. St. C., to take his annual T.B.T. inoculation under Overseas Routine Order 1111 4(b). It was actually due on 5 NOV 44. He refused to take it. He definitely understood the order. I told him he required it and that there was an order that all personnel must receive these inoculations when due. I know that he understood the order fully because I pressed for a reason for his refusal. He said words to this effect: He did not think the reason mattered so long as he was not going to take it. He vouchsafed no religious or medical grounds."

.....*W. H. Rose*.....Captain,  
No. 1 Canadian General Reinforcement Unit.

The Accused declines to cross-examine the witness.

THE SECOND  
WITNESS FOR  
THE PROSECU-  
TION IS RE-  
CALLED

Captain Thomas Ashbournham ANDERSON, Royal Canadian Army Medical Corps, No. 1 Canadian General Reinforcement Unit, having been duly sworn, states:

"I am Captain Thomas Ashbournham Anderson, Royal Canadian Army Medical Corps, No. 1 Canadian General Reinforcement Unit. I actually heard Captain Rose order the Accused to take his annual T.B.T. inoculation. Captain Rose told the Accused that under Overseas Routine Order 1609, he must either take the inoculation or give a reason for not taking it. The Accused replied that he just did not want to take it. Captain Rose then ordered him to state his reason and he said: I just do not want to take it - or words to that effect. The soldier, in my opinion, fully understood the order and the implication of his refusal."

.....*T. Ashbournham*.....Captain,  
No. 1 Canadian General Reinforcement Unit.

The Accused declines to cross-examine the witness.

THE THIRD  
WITNESS FOR  
THE PROSECU-  
TION IS RE-  
CALLED

No. B-49402, Sergeant Charley Keith SANDERSON, Royal Canadian Army Medical Corps, No. 1 Canadian General Reinforcement Unit, having been duly sworn, states:

"I am No. B-49402, Sergeant Charley Keith Sanderson, Royal Canadian Army Medical Corps, No. 1 Canadian General Reinforcement Unit. I heard Captain Rose

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