

SUMMARY OF EVIDENCE

in the case of

Oberleutnant Heinz ESCHERHAUS, No. 51962, German Prisoner of War, Internment Camp No. 44, Grande Ligne, Que.

CHARGE

CONDUCT PREJUDICIAL TO GOOD ORDER AND MILITARY DISCIPLINE
Section 40
AMONGST PRISONERS OF WAR
Army Act

S/Lieut. E. SCHWARTZ, Intelligence Service, is duly sworn as Interpreter.

D-156118, S/Sgt. DEMONKING, P., No. 4 Det. C.M.S.C., C.A., is duly sworn as Shorthand Writer.

The Commanding Officer directs that the evidence be taken on oath.

FIRST WITNESS - D-111582 Pte. George Daniel Cousineau, Veterans Guard of Canada, C.A., attached to Internment Camp No. 44, Grande Ligne, Que., having been duly sworn, states:

I know the accused, I met him when I saw him in the car on the 4th of May, 1945, when I left Grande Ligne to drive four Prisoners of War and one Canadian Army Officer to D.P. & N.H., Montreal. I was the driver of the car. After we left the D.P. & N.H. in Montreal, we drove on St. Catherine Street to go to an eye specialist. When we got to the eye specialist, the Canadian Army Officer got out of the car with one prisoner of war to go there. The three other prisoners of war stayed with me in the car. The Canadian Army Officer told me to go on a side street and wait for him, it must have been around 1125 or 1130 hours. I went on a side street and when I found a place I tried to park into it but I had a bit of difficulty to park in and the people started to stand around the car and were staring at us. As the people seemed to be kind of excited and were crowding the sidewalk I moved from there. I saw a lane and got into that lane, expecting the people to go away. They came around and were standing at the entrance of the lane. Then I asked the German prisoners to come into a tavern on Stanley Street; we went in there and entered by a corner door. I only wanted to stay a minute or two, expecting the people to go away. When I got into the tavern I think I ordered some beer for the German prisoners, I think I paid for it, I am not sure. Then I went to the toilet room and when I came back from the toilet room I saw that the prisoners had been drinking beer because there were empty glasses in front of them. An Artillery Sergeant came over and told me to get the prisoners out of the tavern. Then I went out to see if the people were still at the entrance of the lane and I saw that the crowd was still there, with more people. The prisoners came out with me and a city constable asked me what was the trouble and when I told him he said he would stay with me for protection. One Provost Sergeant came over and asked me if I was from Grande Ligne and I said yes, then he told me to get into the car and get going, which I did. The city constable got into the car with us and we drove around the lane. When we got to the other end of the lane the Canadian Army Officer and one prisoner of war came over; they got into the car and we drove away. The accused was one of the three prisoners of war who stayed in the car with me, I do not know his name but I know he was one of them.

I cannot swear I saw the accused drinking beer as I was in the toilet room, but he was one of the three German Officers in the tavern.

George Daniel Cousineau
D-111582 Pte. George Daniel Cousineau