

where the gear shift lever was? It appears the accident actually happened by the driver of this vehicle approaching the corner too fast and having his vision obscured by the extra passenger and thereby not seeing the jeep. At this time the court knows that army vehicles were still equipped with blank out headlights and it was not until sometime after the occurrence that sufficient red banners had been placed in the theater to equip vehicles with taillights. Therefore submit that a fair trial can not be held unless the driver of the other vehicle (vehicle according to the evidence was equally to blame) was present to give evidence.

No evidence was produced as to the identity of the other ~~vehicle~~ soldier who was in the jeep and evidence was produced that he was driving at the time of the accident.

From the evidence of Vermont the court knows the relative positions of the vehicles after the accident and from viewing the scene the width of the road.

No evidence was adduced to show that any damage had been done to the other vehicle which is an integral part to be proven. I quote "resulting in damage to the said vehicle".