

SUMMARY OF EVIDENCE in the case of A.86987 Pte. Arnolda Haile KURT, "G" Coy.
North Nova Scotia Highlanders, BWEP, a soldier of the Canadian Army Overseas.

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

FIRST WITNESS
for the
Prosecution

*Ex A'
Ludwigman
my*

F. Gwynn Sgt. Cannon, A.E. sworn states: "I am F.59965 Sgt. Cannon, "G" Coy. North Nova Scotia Highlanders. On the morning of 8 Dec 44, as platoon commander of 14 platoon, I warned L/Sgt Green No. 5 Sec commander, to submit a man's name for a period of twenty-four hours rest at the Regimental Rest Centre, situated three quarters of a mile in the rear of "G" Coy. position. L/Sgt Green submitted the name of Pte. Kurt. L/Sgt Green reported to me on the 8 December that Pte. Kurt had been despatched to the rest centre at approximately 0900 hours 8 Dec 44. On the following morning, 9 Dec 44, L/Sgt Green reported to me that Pte. Kurt had not returned from the twenty-four hour rest. Kurt should have reported back to the platoon the morning of the 9 Dec 44. I reported his absence to Coy. office. I did not again see Pte. Kurt until the evening of the 12 Jan 45, in the Regimental Guard Room. He has never appeared on any platoon parade since 8 Dec 44.

Q. Were any other men from your platoon on the same 24 hour rest period?

A. Yes, sir, two. They reported back on time.

I hereby present, as evidence, certificate under the Army Act section 163 (i) (j) dated 3 Jan 45 and signed by the officer in charge Ghent Det. 2 Cdn L of C Provost Coy. 21 Army Gp relating to the accused A.86987 Pte. Kurt, A.C."

Signed
(A.G. Cannon) Sgt
North Nova Scotia Highrs.

The accused declines to cross-examine this witness.

Question to the accused

Q. Do you wish to make any statement or to give evidence upon oath? You are not obliged to say anything or to give evidence unless you wish to do so but whatever you say or any evidence you give will be taken down in writing and may be used against you.

A. No, sir.

Q. Do you wish to call any witnesses in your defence at this point?

A. No, sir.

Rules of Procedure 4 (c) (d) (e) (f) & (g) have been complied with.

I certify that the foregoing summary of evidence, consisting