

SUMMARY OF EVIDENCE

in the case of No. A.37335 Corporal Moon, Joseph Alfred, Highland Light Infantry of Canada on the strength of No.1 Canadian Non-Effective Transit Depot, a soldier of the Canadian Army Overseas.

By direction of the Commanding Officer this Summary of Evidence is taken on Oath.

First Witness K.11008 Sergeant Sullivan, B. Royal Canadian Artillery, on the strength  
for the of No.1 Canadian Non-Effective Transit Depot (2 Inor) having been  
Prosecution duly sworn states:

I am K.11008 Sergeant Sullivan, B. Royal Canadian Artillery on the strength of No.1 Canadian Non-Effective Transit Depot (2 Inor). I am a general duty sergeant at 1 Cdn N.E.T.D. (2 Inor) of which one of my duties is to call the roll on all parades other than Muster Parades. On the 6th September 1944 at 1600 hrs I made a check of personnel in camp and found the accused A.37335 Corporal Moon, J.A. was not in billets nor was he on duty or on pass. After making a check of the camp I then placed him on the absentee report absent as of 1600 hrs 6th September 1944.

K. Sullivan  
K.11008 Sergeant Sullivan, B.

The accused declines to cross-examine the witness.

Second Witness B.77345 Corporal Lambie, R.D. of the Lorne Scots Regiment on the  
for the strength of 1 Canadian Non-Effective Transit Depot (2 Inor) having  
Prosecution been duly sworn states:

I am B.77345 Corporal Lambie, R.D. of the Lorne Scots Regiment on the strength of No.1 Canadian Non-Effective Transit Depot (2 Inor). I am on the Regimental Police at 1 Cdn N.E.T.D. (2 Inor) in part charge of the Guard Room. On 26th September 1944 at 1500 hrs A.37335 Corporal Moon, J.A. surrendered himself to me at the Guard Room. I checked with the R.S.M. to see whether to place Corporal Moon, J.A. under close arrest or open arrest. Corporal Moon was ordered under close arrest and held in the Guard Room.

B. Lambie  
B.77345 Corporal Lambie, R.D.

The accused declines to cross-examine the witness.

The accused was cautioned as follows: "Do you wish to make any statement or to give evidence on Oath? You are not obliged to say anything or 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 given in evidence."

The accused declines to make a statement and reserves his defence.

I certify that the foregoing Summary of Evidence was taken down by me consisting of one page in the presence and hearing of the accused and that Rules of Procedure 4(c)(d)(e)(f) and (g) have been complied with.

W. Adams  
(W.A. Adams) Officer detailed to take  
the Summary of evidence.

Superior Camp  
Barrage, England  
6th October 1944.

EX A  
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