

FIRST WITNESS
FOR THE
PROSECUTION

Major Harold J Spooner, RCAMC, on the strength of
8th. Cdn. Gen. Hospital, an Officer of the Canadian
Army Overseas, having been duly sworn, states as
follows:

Arthur J. P. Stappin
Major

- Q.1 Do you know the accused, D63456 PTE VACHON F (R
de Chaud), now before this Court?
A.1 I do.
Q.2 Have you had occasion to examine the accused?
A.2 I have?
Q.3 Have you had occasion to write a report on him?
A.3 Yes.
Q.4 Will you refresh your memory as to how many times
you have seen the accused and examined him?
A.4 I have seen him on two occasions, and I think
possibly three. I examined him on two occasions
when he was complaining of pain in the right leg,
thigh and the back. Physical examinations were
made and X-Rays taken on the parts where he com-
plained the pains were but could find no physical
signs of his complaints.
Q.5 In one word, did you or did you not see any ob-
jective symptoms on the accused?
A.5 Objective signs, I found none.
Q.6 In the course of your examination, did you have
occasion to examine his leg?
A.6 I did.
Q.7 The flexes of his leg when moved backwards?
A.7 I did.
Q.8 At that time, where did the accused complain of
pain?
A.8 Over the right buttock.
Q.9 When a leg is flexed backward, is it natural to
suffer pain in the crotch?
A.9 Very unusual.
Q.10 Then the complaint of the accused, as far as he
told, would not bring the pain on that movement?
A.10 No.
Q.11 In your opinion what does the pain in the crotch
suggest?
A.11 I don't believe he had any pain.

Cross-examination

- Q.12 (By the Court). Major Spooner, you say you don't
believe the accused had any pain. Could he have
any pain without you believing it?
A.12 Yes, he could.
Q.13 (By the Prosecutor) The accused claimed a tree fell
on him.
A.13 Yes.
Q.14 There were no signs on his leg?
A.14 The bone should show a mark or marks.
Q.15 Would this accident affect the muscles?
A.15 Yes they might be damaged. In this case they were
not.
Q.16 Do you think the mark is due to the accident?
A.16 It might be.
Q.17 Under what circumstances did the accused first come
to you.
A.17 For examination.

By the Court