

Opening Address of Prosecutor.

14-1-44.

The accused is charged with disobeying an order and I will proceed to call the three witnesses:-

P 9956 Sgt. Schewchuk M being sworn states:- I am Sgt. Schewchuk. in 1st Ldn Fld Regt. R.C.H.M to which the accused belongs.

Q. What is your position in the Regiment?

A. No. 1 of "C" sub. "C" Troop, "B" Battery.

A is on the 3rd January 1944 at approximately 1300 to 1400 hrs I told Sgt. Romanica to clean the breech of the gun of which I had charge. He replied:- "The breech is clean enough for me and I'm not going to do it." I placed him under arrest and ordered Sgt. Halpenney to clean the breech.

Q. Did Sgt. Romanica clean the breech.

A. No Sir.

Q. Was the battery in action that day?

A. Yes Sir.

Q. Had your gun been firing?

A. Yes Sir.

Q. Had the breech been cleaned that day?

A. No Sir.

Q. What is the normal procedure of looking after your gun?

A. The breech mechanism is cleaned every day.

Q. Was the accused placed under close or open arrest?

A. Open arrest.

Cross Examination.

Q. Were you in the gun pit at all times to see whether or not Sgt. Romanica had carried out his daily task?