

SUMMARY OF EVIDENCE

CC
Headley
in the case of
L.8794, Private Lawrence Michael POWER, of the No 45 Canadian General Transport Company, RCASC.

The Commanding Officer directs that the evidence be taken under oath.

The accused, having had his rights upon the taking of a summary explained to him in accordance with the Rules of Procedure, the evidence is taken in his presence.

FIRST WITNESS A.44558 Pte. R.E. GIBSON of the No 45 Cdn Gen Tpt Coy RCASC having been duly called and sworn states:

"I am A.44558 Pte. R.E. Gibson one of the regimental police of the No 45 Cdn Gen Tpt Coy RCASC. As such I was responsible along with the other members of the regimental police of this unit, for the custody of the accused L.8794 Private Lawrence Michael POWER whom I now recognize and who was on the 24 May 43 undergoing a sentence of detention in the unit lines before being committed to Headley Downs Detention Barracks. At approximately 0655 hrs on the 24 May 43, M.65177 Pte. McWilliams, J.A., an R.F., myself and 3 prisoners, Pte. Power, Pte. Fye and Pte. Copp were paraded to the H.Q. Mess Hall for breakfast by A.42212 Cpl. Carnegie N.C.O. i/c Regimental Police. At the end of the meal Pte. McWilliams and I escorted the three prisoners out of the mess hall to wash their mess tins. When Pte. Power and Pte. Fye had finished cleaning their mess tins I saw them leave the ablution bench and disappear around the corner of the kitchen escorted by Pte. McWilliams, this was the last I saw of the two prisoners."

R.E. Gibson.....Pte.
(R.E. Gibson)
No 45 Cdn Gen Tpt Coy RCASC

The accused declines to cross examine the witness.

SECOND WITNESS M.65177 Pte. J.A. McWILLIAMS of the No 45 Cdn Gen Tpt Coy RCASC having been duly called and sworn states:

"I am M.65177 Pte. J.A. McWILLIAMS one of the regimental police of the No 45 Cdn Gen Tpt Coy RCASC. As such I was responsible along with the other members of the regimental police of this unit, for the custody of the accused L.8794 Private Lawrence Michael POWER whom I now recognize, and who was on the 24 May 43 undergoing sentence of detention in the unit lines before being committed to Headley Downs Detention Barracks. At approximately 0710 hrs on 24 May 43 having finished meal together with A.44558 Pte. Gibson of the regimental police I escorted three prisoners Pte. Power Pte. Fye and C.52357 Pte. Copp to the ablution tables to clean their mess tins. When Pte. Power and Pte. Fye had finished, they proceeded back to the Guard Room and I followed at a distance of eight feet. They went around the end of the mess hall and endeavouring to catch up with them there I found that they were nowhere to be seen, the time was approximately 0715 hrs. I looked for them but was unable to find them and reported immediately to A.42212 Cpl. Carnegie, E.M., E.C.O. i/c Regimental Police. I did not see them again until today when they were returned to the unit in custody."

JA McWilliams.....Pte.
(J.A. McWilliams)
No 45 Cdn Gen Tpt Coy RCASC

The accused declines to cross examine the witness.