

(3)
Additional Summary of Evidence in the case of
A.29520 Gunner ELTON WILLIAM FAIRBAIRN, 57 Stry.,
1 Anti-Tank Regt., R.C.A.

By direction of the Commanding Officer the Evidence
is taken under oath

Seventh Witness H.59089 Pte McDonald, H.E. 3 Cdn Pro Coy having
for the been duly sworn states
Prosecution

At approximately 2000 hrs on 3 Feb 44 while I
was on point duty at LANGRANG a 16-wgt stopped at
my point and the driver asked me directions to
BAKI. I was unable to inform him the best way to
take there. I asked an Armoured Corps officer if
he could help the driver which I believe he did.
The truck proceeded towards KOGGO. Shortly after
he left I heard a crash, I and the Armoured Corps
officer's driver went to the scene of the accident.
There I found one man lying on the ground and I
stopped a truck and asked the driver if he would
take this man to the hospital. After I put him on
the truck there were English soldiers looking after
the other injured man. They also put him on the
same truck. The driver of the 16-wgt did not seem
to be hurt. He got on the truck by himself. After
we brought them to the hospital I summoned 1/Cpl
Davis who investigated the accident.

Questions by officer taking Summary

Q.1 How did you know the injured man was the driver?
A.1 I had seen him in the truck at my point.

Q.2 Do you recognize the accused?
A.2 Yes, he was the driver.

Question by the accused

Q.1 Did I ask you directions to our R.H.A.?
A.1 Not that I recollect. I believe you did
mention about being lost.

The accused declines to question this witness further.

The accused having been cautioned with these words,
"Do you wish to make any statement or to give
evidence upon oath? You are not obliged to say any-
thing 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",
reserves his defence.

Taken down by me in the hearing and presence of the
accused, certified that Rules of Procedure 4 (a) (4)
(e) and (f) have been complied with

In the Field, Sunday, 20 February 1944


.....
Officer taking Summary