

SUMMARY OF EVIDENCE

Summary of evidence in the case of P66729, Pte LeBLANC, Evert Lorne, B Coy. Cape Breton Highlanders; C.A., C.M.F., charged with one offence under Sec. 12-1-A of the Army Act.

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

First Witness: Lieut. W.A. Nelson ; Cape Breton Highlanders, having been duly sworn, states:

I am Lieut W.A. Nelson, in command of 11 Platoon, B Coy. Cape Breton Highlanders. I was in command of that platoon on the 10 Dec. 44., and P66729 Pte LeBlanc E.L. was a member. At approx. 1400 hrs. 10 Dec. 44, I gave the orders for the Lamone River; Crossing to the men who were to paddle the assaulting companies across. LeBlanc was detailed by me to a spare boat crew. Every man was given exact instructions in regard routes to the river and zero hour. At approx. 1730 hrs. 10 Dec. 44, I placed Pte LeBlanc on guard at the boat off-leading point, with instructions to watch the boats LeBlanc told me his nerves were bad and that he couldn't stay on guard, but as there was no enemy fire at that time I did not replace him. C Company, to which Pte LeBlanc E.L. was attached, moved to the F.U.P. at approx. 1815 hrs 10 Dec. 44. All the paddlers knew they were to move to the river bank with the leading assaulting Company. After the leading company was across the river, I reorganized all paddlers in a house beside the river, searching the bank and all dug-outs to ensure nobody was forgotten. I checked all the men and found that LeBlanc was not present, I reported his absence to Company Headquarters. I did not see him again until he reported to the platoon on 12th Dec. 44 at about 1330 hours.

*W.A. Nelson*  
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The accused declines to cross examine the witness.

Second Witness: P55219 Sgt Moss W.G., B Coy. Cape Breton highlanders, having been duly sworn states:

I am P55219 Sgt. Moss W.G., 11 Platoon B Coy. Cape Breton Highlanders. I recognize here P66729 Pte LeBlanc E.L. as a member of 11 Platoon. I was present at platoon headquarters when LeBlanc reported in at 1330 hrs 12 Dec. 44. LeBlanc had not been present with the platoon from the time we crossed the Lamone River on 10 Dec. 44 until he reported in on the 12 Dec. 44.

*W.G. Moss*  
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The accused declines to cross examine the witness.

The accused was warned as follows.  
Do you wish to make a statement or 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 that you give will be taken down in writing and may be given in evidence.

The accused: I have nothing to say at this time.  
*E.L. LeBlanc*  
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I certify that R.F.4 has been complied with.

Taken by me in the field, in the presence and hearing of the accused this 17th day of January 1945.

*W.A. Nelson*  
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Officer taking Summary