

Summary of Evidence

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Summary of Evidence in the case of F31143 Pte. Oakes L. "C" Coy. Cape Breton Highlanders, Canadian Army Overseas, charged with three offences under sec 10 (4) A.A., and charged with three offences under sec 15 (1) A.A. charged with ~~two~~ ^{two} offences under sec 40 A.A.

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

First Witness: F55650 Cpl. Patrick D. Corkery, "C" Coy, Cape Breton Highrs. duly sworn states;

mm I am F55650 Cpl. Patrick D. Corkery, "C" Coy. Cape Breton Highlanders On the 18th of November 1943 I was acting Pl. Sgt. of # 15 Platoon. of which Pte. Oakes L. F31143 is a member. Pte Oakes L. was turned over to me from the Company Guard Room and I detailed an escort to look after him. At 1400 hrs the escort reported to me that Pte Oakes L. had escaped. At approximately 1445 hrs Pte. Oakes L. was apprehended and was placed under escort again and at 1500 hrs 18 th Nov 43 the escort again reported that Pte. Oakes L. had escaped.

Signed... *P. D. Corkery*...

The accused declines to cross examine the witness.

Second Witness: F59794 Sgt. Enoch J. Sullivan, "C" Coy., Cape Breton Highlanders duly sworn states;

I am F59794 Sgt. Enoch J. Sullivan, "C" Coy. Cape Breton Highlanders, I am Pl Sgt of # 15 Platoon of which F31143 Pte Oakes L. is a Member. On the 19th of November at 0800 hrs Pte. Oakes L. returned on his own free will to the Company lines. He was paced under escort. On the 21st of November at 1400 hrs one of the escorts on Pte. Oakes L. reported to me that Pte. Oakes L. had escaped. At 2100 hrs the Guard Commander for the 21st of November reported to me that Pte. Oakes L. had been apprehended and that two armed guards had been posted over him.

Signed... *E. J. Sullivan*...

The accused declines to cross examine the witness.

Third Witness: B93840 Sgt. James Weir, of the 5th Canadian Provost Corps duly sworn states;

I am B93840 Sgt. James Weir of the 5th Canadian Provost Corps, on the 21st of November I was on police patrol in the town of Altamira when I met the accused F31143 Pte. Oakes L. whom I recognize here. He was pushing people on the road and using obscene language by saying "Get out of the way you Wops sons of bitches" I placed him under arrest, on doing so he informed me that he was undergoing detention and that he had broken out and made his escape.

Q1. Did you here me say " get out of the way you wop sons of bitches.

A1. Yes and along with " you are a bunch of cock suckers.

Signed... *Sgt. James Weir*...

The accused declines to cross examine the witness further.