

Arthur S. Pettigrew
Wyn.

SUMMARY OF EVIDENCE

in the case of

Regimental No. D-63456 Private Francis Vachon, Chaudiere Regiment, Reinforcement, on the strength of 3 Canadian Divisional Infantry Reinforcement Unit, a soldier of the Canadian Army (Overseas).

The evidence is taken under oath by direction of the Officer Commanding.

FIRST WITNESS Regimental No. E-11170, A/Cpl. A. Racine,
Prosecution Regiment de la Chaudiere, having been duly
sworn, states:

The accused reported to me that morning for battle drill instruction. I told the accused that he would have to drill like the other. He answered that he was unable to do so as he was complaining of a pain in his leg. I went to see our Company Commander, Major Langlois, to check and find out if this man was really sick. Major Langlois answered that he had no report of this. When I came back, I ordered the accused three times "join in the drill" but each time he answered me he was unable to do so.

A. Racine
E 11170 A/Cpl A. Racine.

The accused declines to cross-examine the witness.

SECOND WITNESS Regimental No. G-6088, A/Cpl. L. Leblanc,
Prosecution Regiment de la Chaudiere, having been duly
sworn, states:

On the 29th of July 1942, I was with Cpl Racine when he ordered to the accused to go on parade and drill with the others. Cpl. Racine repeated the same order three times and each time the accused answered he was unable on account of a sore leg.

L. Leblanc
G-6088 A/Cpl L. Leblanc.

The accused declines to cross-examine the witness.