

SUMMARY OF EVIDENCE IN THE CASE of B-63361 Tpr. Edward Michal HYLAND, 8 Cdn Recce Regt (14CH) a soldier of the Canadian Army (Overseas.)

The accused is informed of his rights.

The accused does not demand and the C.O. does not direct the evidence be taken on oath.

FIRST WITNESS FOR THE PROSECUTION: Major C.R.H. Porteous, 8 Cdn Recce Regt (14CH) states:--

"I am OC A. Sqn. to which Tpr. Hyland, whom I here recognize belongs as does vehicle W.D. No. CZ 4204471. On the 25 Dec 43 this vehicle was Sqn Duty truck from 1800 hrs 24 Dec 43 to 1800 hrs 25th. Tpr. Morris the regular driver was relieved by Tpr. Horrocks at 0600 hrs and was to continue his tour of duty until 1800 hrs 25th. Tpr. Hyland was never driving that day assigned to vehicle CZ 4204471 - nor did he have permission to ride as a passenger in that vehicle.

Capt. McKnight the Orderly Officer and I are the only persons who can authorize a trip beyond the Regimental Area. On the 25th I did not authorize such a trip and produce the work ticket of that vehicle in proof thereof. (Att Exhibit "A").

The accused declines to cross-examine.

(C.R.H. Porteous) Major
8 Cdn Recce Regt (14CH)

SECOND WITNESS FOR THE PROSECUTION: Capt. G. McKnight, 8 Cdn Recce Regt (14CH) states:--

I am Sqn 2 i/c of A. Sqn. On the 24-25 Dec 1943, I did not give Tpr. Hyland whom I here recognize permission to take out vehicle CZ 4204471. Nor to ride as passenger in it.

The accused declines to cross-examine.

(G.S. McKnight) Capt.
8 Cdn Recce Regt (14CH)

THIRD WITNESS FOR THE PROSECUTION: Lieut. M.E. Hunter - 8 Cdn Recce Regt (14CH) states:--

I was Sqn Duty Officer on the 25-26 Dec 43. I did not give Tpr. Hyland whom I here recognize permission to take out vehicle CZ 4204471, nor did I give him permission to ride in it as a passenger.

The accused declines to cross-examine.

(M.E. Hunter) Lieut.
8 Cdn Recce Regt (14CH)

FOURTH WITNESS FOR THE PROSECUTION: P.C. R. Caps. Sussex Police Force, Midhurst.

A written statement of this witnesses' evidence purporting to be signed by him has been read to the accused and is included in this summary. (Att as Exhibit "B")

Due to the loss of time involved and the distances to be travelled. Attendance of this witness cannot in my opinion be readily procured.

The accused does not demand the attendance of this witness for cross-examination.

FIFTH WITNESS FOR THE PROSECUTION: H-23181 Cpl. McDonnell A. deB 2d Provost Coy, 8 Cdn Inf Biv.

A written statement of this witnesses' evidence purporting to be signed by him, has been read to the accused and is included in this summary (Attached as Exhibit "C")

Having regard to the loss of time involved, the attendance of this witness cannot in my opinion be readily procured.

The accused does not demand the attendance of this witness for cross-examination.

(C.D. Williams) Capt.
Officer detailed to take the summary.

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