

SUMMARY OF EVIDENCE

B.3.

In the case of No.E.4451 Private Marcel LARIVIERE, of the Royal 22e Regiment, on the strength of 1 Canadian Division Infantry Reinforcement Unit a soldier of the Canadian Army(Overseas.)

By direction of the Commanding Officer this summary of Evidence was taken under oath.

FIRST WITNESS No.E.5402 A/Cpl. Riopel E. of the Royal 22e Regiment, 1 CDIRU  
FOR THE having been duly sworn states:-  
PROSECUTION

I am E-5402 A/Cpl. Riopel E. of the Royal 22e Regiment Company 1 CDIRU. On 21 Dec 42 I was COC of the said Company. At 1300 hours on that date, I had the occasion to search for the accused whom I now recognize. Not finding him anywhere I placed his name on the absentee report. From then on until 0630 hrs on the 13 Jan 43, I made a roll call of the Company daily at 0630 and 2200 hrs. The accused failed to answer his name at any of these roll calls.

The accused declines to cross-examine this witness

E. Riopel A/CPL.

SECOND WITNESS Lieut. L.J.C.Benoit, of the Royal 22e Regiment, 1 CDIRU,  
FOR THE having been duly sworn states:-  
PROSECUTION

I am Lieut. L.J.C. Benoit of the Royal 22e Regiment Company, 1 CDIRU. I produce herewith certificate of surrender to the Civil Police of a deserter or absentee without leave, dated 13 Jan 43. This document concerns the accused, whom I now recognize.

The accused declines to cross-examine this witness.

Cyrille Benoit. Lieut.

The accused, having been cautioned in French in accordance with Rule of Procedure 4 (E) and CARO 1424, reserves his defence.

I certify that the foregoing Summary of Evidence, consisting of one page was taken down by me in the Presence and hearing of the accused at Algonquin Camp, Witley, Surrey, on the 15th. day of January, 1943 and that Rules of Procedure 4 (C)(D)(E)(F) and (G) have been duly complied with.

H. Coles Capt.  
(Officer taking Summary)

Algonquin Camp,  
Witley, Surrey,  
15th. day of January, 1943

JC/JLN

AETP