

*Whelan's was
16.8.43 p.m.*

SUMMARY OF EVIDENCE

In the case of No D-59200, Private Joseph Aime SABOURIN, of the Royal 22e Regiment, on the strength of No 6 Canadian 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
for the
Prosecution.

Lt. R. Rocque, Regiment de la Chaudiere, 6 CIRU, having been duly sworn, states:

I am Lt R. Rocque, of Le Regiment de la Chaudiere, 6 CIRU. I hereby produce the following documents concerning the accused, No D-59200 Pte Sabourin, J.A.:

(a) Extract from Part II Order (Rear Party 1 CBRD) No 1, dated 5 Aug 43. This document is marked Exhibit "A" and is attached to the Summary of Evidence.

(b) Certificate of Arrest in accordance with PC 2797 of 10 Apr 43, dated 18 Jun 43. This document is marked Exhibit "B" and is attached to the Summary of Evidence.

(c) Expense Voucher in accordance with ER Can 509, dated 1 Jul 43. This document is marked Exhibit "C" and is attached to the Summary of Evidence.

(d) Statement of Sgt L.R. Brades and Cpl G.C. Baker, of the Corps of Military Police. This document is marked Exhibit "D" and is attached to the Summary of Evidence.

The accused declines to cross-examine this witness.

R. Rocque Lt.

Second Witness
for the
Prosecution
(Documentary)

The following statement by No 13020048 Sgt L.R. Brades, CMP, is then read to the accused:

"At about 1130 hours on the 30th June at Moor Lane Guardroom I was 300 IC Prisoners' Compound. I told Pte Sabourin that he was to peel some potatoes for the six-day meal. He said: "I will not". I read him an extract from MCM's, section VII, para 566, and explained why he must comply with my order. In the presence of Cpl Baker I said to him: "You peel those potatoes". He replied: "I am not going to do any work at all", and walked away. I therefore placed him on a charge report."

(SIGNED) L.R. Brades, Sgt.

A statement of this witness's evidence, purporting to be signed by him, has been read to the accused and is included in this Summary of Evidence. Owing to expenses and loss of time involved, the attendance of this witness, giving documentary evidence, can not, in my opinion, be readily procured. The accused does not require the presence of this witness for cross-examination.

A. J. Menard Lt.
(Officer taking Summary)