

C.41.

Q.215. Did you examine the ground around the spot where he was injured?

No sir, I did not.

Q.216. Then you did not see where the round struck the ground.
NO SIR.

THE PROSECUTOR AND DEFENDING OFFICER ADVISE THE COURT
THEY HAVE NO QUESTIONS TO PUT TO THIS WITNESS

IN THE OPINION OF THE COURT AND THE JUDGE ADVOCATE IT
IS NOT NECESSARY TO COMPLY WITH R.F. 83(b).

THE WITNESS WITHDRAWS.

PURSUANT TO R.F. 83(a) THE COURT RECALLS THE FOURTH WITNESS
FOR THE PROSECUTION.

Fourth witness for the) No.K.600182, Pte. (A/Cpl) A. Bilesky, 2nd Bn.
Prosecution recalled) The Canadian Scottish Regiment, C.A., being
duly sworn, is examined by the court.

Q.217. When Pte. Rushworth was hurt did you see the spot where the bullet struck the ground.

After I brought the ambulance there I was shown the spot.

Q.218. Do you remember how far that spot was from the point where Pte. Rushworth fell?

About six feet sir.

Q.219. Was it behind him or in front?

The way he was facing it was off to his left and front.

Q.220. From what you observed could you say whether or not the bullet was travelling at right angles to the line of his progress of whether it was travelling parallel to his line.

I can't say sir.

Q.221. Did I understand you to say you saw or heard the shot?

I would not say. There were blanks firing at the time.

Q.222. What makes you say it to be six feet?

I judged it to be about six feet.

Q.223. What direction was Pte. Rushworth facing when you got to him?

Facing south sir.

Q.224. And in what direction was the mark on the ground made by the live ammunition.

South-east.

Q.225. And do you know what direction Pte. Rushworth was travelling in when he got hit?

No sir.

THE PROSECUTOR AND THE DEFENDING OFFICER ADVISE THE COURT
THEY HAVE NO QUESTIONS TO PUT TO THIS WITNESS.

IN THE OPINION OF THE COURT AND THE JUDGE ADVOCATE IT IS
NOT NECESSARY TO COMPLY WITH R.F. 83(b).

THE WITNESS WITHDRAWS.