

Case of:

I am accused: D141949 Pte Hugh Cameron Rynard North Nova Scotia Highlanders att Cdn S. & C HQ Brussels Gren.  
duly sworn states:

Q.1 What happened on the 17 Dec 44.

A.1. On the 17 Dec 44 I came in to town on leave from "Sigenen to Brussels and there was no rooms at the Maple Leaf Club so billets were arranged with civilians and by the time I got settled it was 1700 hrs.

We had something to eat and went into a cafe and had something to drink. While we were in the cafe, I bought a pistol No 45 Army issue from an American soldier. I purchased the pistol because we are not allowed to carry German weapons of any kind. He was broke and I had quite a bit of money at the time. We drank quite a bit more and I don't remember anything more until the next morning. I never drank the "Rum" issue because I don't like it. I had been drunk before but I never had the occasion to get into trouble before.

Question by the "Court"

Q.2 How old are you?

A.2 20 sir, and I have been in the army 18 months now and since September I have been in Europe, and I always have been with my unit since that time and I am a rifleman in a platoon sir, I have been with them in Scheldt and also in Sigenen with my section since November. This is my first leave I had. The man I was with is a man from the same Coy as I am and would say that he is about 28 yrs old.

Q.3 Before the war I was working at the inspection board at C.I.L.

AA 83 (B) complied with.

Mr PRESIDENT

On this present case we have a soldier who has been a poor victim of circumstances and facts which he had no intentions to do at all. Pte Rynard was on leave in Brussels he met a friend and had many drinks; so, in this state, a friend who, according to the summary of evidence, was almost sober and took him to this cafe where the incident occurred a thing which could have been prevented. I do understand that drunkenness is no an excuse, but we can deduce that if the soldier had never the intention or premeditation of such an action.

Rynard caused a disturbance in this cafe but there was friend made in a way as much trouble as he did, a thing which we must consider because the other soldier got away without a charge. I do understand that it is a serious offence to wave a pistol in a public place, but according to the summary of evidence, the pistol was not loaded and I don't see any mention that the accused had bullets in his pockets, for this reason, we should think that the accused didn't put anybody in danger or in a "tough spot".

And I must bring up this point, the cafe manager Mr. Pierre Hubert Rynard stated that he wishes to withdraw my complaints. I feel that the accused had no intention of harming me or anyone else and also that he has seen considerable fighting and is worthy of this consideration.