

Defence re-examines the Accused:

- Q-129. Gnr McKinnon in what order did you leave the Pub ? I mean who came out first and second ?  
 A-129. Sir, I came out first and Sgt Featherstone came after me.  
 Q-130. Was there many people around ?  
 A-130. There seemed to be a crowd around.  
 Q-131. And inside the door when you were going through, was there a crowd?  
 A-131. The Pub was pretty full.  
 Q-132. Did you see Sgt Featherstone get hit ?  
 A-132. No, sir.  
 Q-133. Could he have stumbled while going out of the Pub?  
 A-133. I couldn't say, sir.  
 Q-134. Was it dark outside ?  
 A-134. It was a very dark night, sir.  
 Q-135. It was very dark in the vestibule leading to the street ?  
 A-135. Yes, sir.

Defence: That is all, sir.

Prosecution to Court: Could I ask one question, sir ?

Court: If you think you can bring out some important facts ?

Re-cross examined by the Prosecutor.

- Q-136. Do you know how many steps there in to the front of the Hotel?  
 A-136. I couldn't say, sir.  
 Q-137. Did you at any time strike Sgt Featherstone ?  
 A-137. No, sir.  
 Q-138. I just want to get one point straight, did Sgt Featherstone lead you towards the door ?  
 A-138. I don't know, sir, we came to the door and I cannot be sure.

The Defence proceeds to call the next witness:

2nd Witness for the Defence. F15172 Gnr Cantwell, W.O. having been duly sworn is examined by the Defending Officer.

- Q-139. Do you recognize the accused?  
 A-139. Yes, sir, Gnr McKinnon, sir.  
 Q-140. Do you remember where you were on the night of 30 Oct 42 ?  
 A-140. Yes, sir, outside the Cock Hotel.  
 Q-141. You did not go inside the Hotel ?  
 A-141. No, sir.  
 Q-142. When you were outside the Hotel, where were you ?  
 A-142. I was just a little to the left of the door.  
 Q-143. You know anything that went on inside the Hotel ?  
 A-143. No, sir.  
 Q-144. Will you tell the Court in your own words what happened while you were standing outside the Hotel ?  
 A-144. I was standing outside the Hotel for about 1 minute and I heard some fellows arguing at the bar and talking quite loud. I heard some one coming out and stepped aside and let them pass. This man I recognized was Gnr McKinnon. As he got outside he sort of turned around. Looking towards as if expecting someone. Then at that time 3 or 4 fellows came out and the next thing I saw a light and clearly saw Gnr McKinnon and Sgt Featherstone standing together and at that moment I saw Sgt Featherstone throw a punch and he reeled back a few feet into some fellows behind. When he regained his balance he got hold of Sgt Featherstone and they both went down together. Somebody yelled, saw some cops were coming and I scrambled as there was quite a crowd around at that time.