

Defending Speer's Closing address.

Goes over accused's activities during the evening. Evidence of drunkenness - all defense witnesses except Lt. Col. Billups. None of the witnesses were not recognized that night by the accused that night. Although they were friends. reconcile witnesses of prosecution. Action of accused ^{when he was the major} do not suggest he was at all sober. Louis hasn't made room. Major he would should not have had any dealings with the accused - sent his drink to get it. ^{MA 104 p. 25} see 47. There is only one man's word against another. Whether major's cap was knocked off his head. The conviction was of accused was taking & making insulting words a crime. no intention. Thought he was warning of blows. Did not have the necessary intent.

Prosecutor's Reply.

Evidence for prosecution quite direct. May be some evidence in fact two charges. Struggle with provost. Defense witnesses. Contrary evidence. Morris contradicts it. Accused was drinking the night before. This element - serious story of accused's movements direct conflict. Accused remembers nothing. Drunkenness - no excuse - does count in mitigation of sentence. Voluntary drunkenness. ^{MA 104 p. 106+}

Judge Bonavia's Summary up.

- Ours of proof.
- Quite beyond reasonable doubt.
- Drunkenness and specific intent required.
- Consider only sworn evidence.
- Ours of proof.