

7/11

Summary of Evidence in the case of A. 31410 Gnr  
FOSTER W P, HQ 2 Cdn AGRA, taken under oath by  
order of Major J D Harrison, BMRA, HQ 2 Cdn AGRA

FIRST WITNESS

A. 28031 Sgt Walker, R.C. HQ 2 Cdn AGRA, having  
been duly sworn, states:

I, A. 28031 Sgt Walker, R.C. am duty NCO of HQ 2  
Cdn AGRA. Gnr Foster who is present here as the  
accused, was warned on the 0900 hrs parade on 27  
Oct 44 that he was detailed for guard duty commencing  
at 2000 hrs and was told by me to report to L/Bdr  
Chapman at 1800 hrs who was to be NCO i/c Guard. I  
was out with Gnr Foster during the afternoon of  
27 Oct 44 with his 15-cwt picking up reinforcements  
and stores. About 1530 hrs we returned to HQ 2  
Cdn AGRA and Gnr Foster stated he had to go the water  
point for water - he wanted to go early so as to be  
back in time to see a show which was being shown.  
I told him to go ahead and get the water but did not  
see him leave. After the show about 2130 hrs Gnr  
Jones was brought to me by S/Sgt Allan 52 Recce  
Regt. Jones said he had had an accident with the  
15-cwt water trailer on the highway between Maldegam  
and EECLOO. I asked Jones where Gnr Foster was as  
he should have been driving the 15-cwt, No. CZ. 4288616.  
Jones was injured and as I was taking him to the  
Medical Orderly he stated either that Gnr Foster  
was in Eecloo or he didn't know where - I can't  
remember which. When Jones was fixed up I got the  
other 15-cwt and went with Gnr Antler and Bdr  
Robertson to pick up the water trailer at the scene  
of the accident. I also arranged for the evacuation  
of the damaged 15-cwt. Gnr Antler said he thought  
he knew where Gnr Foster might be - a Cafe or private  
house in Eecloo. We stopped at the place in Eecloo  
but Gnr Foster was not there and we returned home.  
We arrived here about 2340 hrs and Gnr Mundle told  
me that Gnr Foster had come in, a little the worse  
for drink and he had put him to bed. I reported  
to Major Harrison, the Brigade Major, and he in-  
structed me to carry out my intention of placing  
Gnr Jones and Gnr Foster under open arrest. Gnr  
Jones had gone to bed before I left to pick up  
the water trailer and I went to the place where  
Gnr Foster was sleeping. I did not wake him but  
his breath smelt of alcohol. First thing this  
morning 28 Oct 44 I placed both Jones and Foster  
under open arrest.

Q:- Did Bdr Chapman report to you that Foster had  
not appeared for guard duty?

A:- No Sir, but Gnr Crowe reported to me when I re-  
turned about 2340 hrs that Foster had come back  
under the influence of alcohol, and consequently  
could not relieve him on guard. He had remained  
on duty until I returned, so a relief could be ob-  
tained.

Q:- Was any statement made by Jones as to why he  
was driving in lieu of Foster?

A:- No: