

Second Witness for the Prosecution
Lieut Frederick P. Rusk having been duly sworn state

Witness identifies the accused.

I am No 18 Platoon commander and the accused is in my platoon. On the 9 Oct 43 my platoon came under enemy shell fire at approximately 1215 hrs. That is when the accused started to fall back ~~from~~ ^{from} my platoon ~~and~~ ^{and} ~~was~~ ^{was} ~~not~~ ^{not} ~~seen~~ ^{seen} ~~at~~ ^{at} ~~that~~ ^{that} ~~time~~ ^{time} ~~and~~ ^{and} ~~was~~ ^{was} ~~not~~ ^{not} ~~seen~~ ^{seen} ~~until~~ ^{until} ~~later~~ ^{later} ~~when~~ ^{when} ~~he~~ ^{he} ~~was~~ ^{was} ~~seen~~ ^{seen} ~~again~~ ^{again} ~~at~~ ^{at} ~~about~~ ^{at} ~~1230 hrs~~ ^{1230 hrs} the accused left the platoon and reported back at ^{1700 hrs} 1700 hrs at 1300 hrs. Question When the accused left was the platoon still under enemy shelling.

Answer Yes.

Question Did he leave with or without permission.

Answer Without permission.

Question Were you still commanding No 18 Platoon on the 9 Oct 43?

Answer Yes.

Question Did ^{you} the accused report himself to you on that date.

Answer No.

Questions by the defence.

Question Did you see the accused when the shelling started.

Answer No.

Question Did you see him at all during the shelling.

Answer No.

Frederick P. Rusk