

1.
307.

The defending officer states that it is necessary
in the interest of the accused that charges 1, 2, 3 & 4, 5 &
6 be tried separately. ^{the request is granted}

Evidence on First Charge.

First Witness for Prosecution:

Sgt. A. Zebell, Welsh Constabulary,
sworn, states:

On the night of 19th Aug 43 I was
on duty at the New Theatre Ball Room
at Abersberg, at about 1030 P.M. I was
on duty outside the Ballroom. I saw a
crowd of men come out of the Ballroom.
A fight commenced between the accused
Lee and a soldier belonging to an English
airborne unit. I went across into the
crowd and the fight was stopped. I warned
the people concerned. I was then
approached by a German soldier and he
pounded Lee out to me. I noticed that
this soldier did not belong to the German
Airborne unit. At that time another
fight broke out. The British Military Police
arrived on the scene and the situation
became normal. The accused and the
soldier who has spoken to me went back
into the dancehall. I then saw that
the other soldier belonged to a German Tank
unit. I kept my eye on these four men.
The dance went on until 11 o'clock. They
then walked out of the hall & went on
their way back toward camp. There
was enough light outside the dancehall