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FIRST WITNESS FOR THE PROSECUTION

A 28031 Sgt. Walker, R.C. having been duly sworn states:-  
I am A28031 Sgt. Walker, R.C., HQ 2 Cdn AGRA.

QUESTIONS BY THE PROSECUTOR

- Q. What are your duties with HQ 2 Cdn AGRA?
- A. Duty NCO HQ 2 Cdn AGRA.
- Q. For the benefit of the Court what are your duties around the HQ?
- A. Looking after all the personnel, other than office staff, with regard to discipline, guards, fatigues, maintenance on vehs, and the assigning of drivers to different trips.
- Q. Will you tell the Court in your own words what happened on the 27 October 44.
- A. I had just come back from the show and was sitting down writing a letter. Gnr. Jones came in bleeding and said he had had an accident. I sent him to the medical orderly after inquiring about the accident. I told the Staff Captain and was instructed to pick up the water wagon. I left about a half hour later to pick up the water wagon. When Gnr. Jones came in, this was before I left, I asked him where Gnr. Foster was, and he said Eecloo. I asked Gnr. Antler and he said he knew where Foster might be, that he had an idea, so we called at a place in the centre of Eecloo, a house or a pub, and Foster wasn't there. On returning to our HQ I was informed by Gnr. Mundell that Gnr. Foster had been in while I was out and that he was in an apparent state of intoxication. Gnr. Crowe, who was on guard, told me that Foster was unable to relieve him on guard. I told Crowe to stay on gd and I would post a relief immediately. I explained to Major Harrison that my intentions were to place Foster and Jones under arrest and he said "carry on". He told me not to touch Gnr. Foster that night. I went to Gnr. Foster and I did not touch him but I did smell his breath and it smelled of intoxicating liquor. I didn't place either Jones or Foster that night under arrest but did so first thing the next morning. Gnr. Foster had been warned for guard on the 0900 hrs parade on the morning of the 27th.
- Q. What actual instructions did you give to Gnr. Foster?
- A. I called out the list of the names and told them all to report to L/Bdr. Chapman at 1800 hrs that evening.
- Q. What veh ordinarily goes with the water trailer?
- A. Ford, 15 cwt, driven by Gnr. Foster.
- Q. You have in your records the WD veh number and to whom it was charged to?
- A. It was driven by Gnr. Foster and on charge to him. I haven't the WD veh number with me now but I can produce it.
- The Prosecutor, for the infm of the Court, gives the WD veh number which is 4288616.
- Q. Did Gnr. Foster tell you at any time that he was getting water?
- A. I was out with Foster picking up rfts and eqpt on the 27th. On returning he mentioned that he would like to go and get water immediately we returned to the HQ as there was a show on that evening and he wanted to be back for the show.