

Yes sir.

Q.240. And warned them that you were going to use it?

Yes sir.

THE DEFENDING OFFICER TO THE COURT

That is all the questions I have. Mr. Hoodlen, the medical officer who signed the sick report in question is no longer with this unit but I would like to have this entered as an exhibit.

THE PRESIDENT TO THE PROSECUTOR

Q.241. Have you any objections to this being entered as an exhibit?

I have examined the report and I recognize the writing of Mr. Hoodlen. I have no objections to it being entered.

M.F.B. 292 IS MARKED EXHIBIT "L", SIGNED BY THE PRESIDENT AND ATTACHED TO THE PROCEEDINGS.

CROSS-EXAMINED BY THE PROSECUTOR

Q.242. Sgt. McNeil the sick report which you have produced in support of your case says that you are excused drill and P.T. Now a report of that nature does not necessarily excuse you duty does it?

No sir. But when the M.O. gave me that he says "Here, take four days rest in bed".

Q.243. Yes, but the sick report says excused drill and P.T. If a man in your platoon produced to you a sick report excused drill and P.T. would you excuse him all duty and all parades? Would you not put him on light duty and so forth and if there were any lectures order him to attend?

We usually put them on light duty but we never make them attend lectures.

Q.244. You are quite positive that on that morning you were not present?

No sir.

Q.245. Now evidence has been given that on the following morning or approximately on the following morning, at least some date before the accident to Pte. Rushworth that further orders were given in the field that live ammunition was not to be used. weren't you present on that occasion?

I can't remember it sir.

Q.246. You are not positive of that then because I would remind you that evidence has been given by one witness and he was quite definite in his statement that you were there in the field when those orders were given and that you could reasonably have heard them.

I can't remember being on that reconnaissance sir. I was on a recon on the exact same spot two weeks before that.

Q.247. Now sergeant you had only recently returned from battle drill.

I passed through No. 10 school in January.

Q.248. I thought you came back later than that but in any case I suggest that you are quite a devotee and quite gone on it.

Yes sir, very gone on it.