

E2. If we had not got into the trouble with the Station
in Mexico on Dec 7 1943 I am pretty sure
we would have gone on our way back to the
hill Hi. There was no violence committed with
my breaking away from Sgt Neitzel.

E5. The Court deems local witnesses to prove certain
point not satisfactorily covered in the Summary
Evidence.

First Witness Capt. J.B. Donald 14 34 Coy KC. Co.
being duly sworn states: On Dec 7 1943
the accused was serving a sentence of detention
in the unit lines that is the reason he
was sent to the bath in custody of Sgt.
F.C. Neitzel. The accused was still in
close arrest on Jan 9 1944. His sentence
of detention terminated in Dec 43 and he was
still in custody awaiting trial on the charges
arising out of the offences committed on
7 Dec 43.

The accused declines to cross-examine

R.P. 83(b) complied with

Second Witness Sgt. F.C. Neitzel 15th Coy KC. Co.
being duly sworn states: The accused, escaped
from ^{the} custody on Dec 7 1943 at about 1630 hours.

The accused declines to cross-examine

R.P. 83(b) complied with

E3. Depending on officer's Statement in Mitigation
The 1st four charges were committed when
accused was drunk and at such times
he was quite unaccountable for his actions.