

Battalion Orderly Room and went over to the Sergeant Major's Office, two houses away, went in and had a conversation there. I returned to the Battalion Orderly Room and the accused spoke to me again, "Lets go to bed DOUCET". I said, "All right, you make the bed", and I stood around and after a matter of five minutes the accused had the bed made on the floor and asked me once more to come to bed. I didn't want to at that time because I felt

DEFENDING OFFICER -

The same basis as before. The question of his feelings is not evidence. The question of whether his feelings were injured has nothing whatever to do with the charge.

FIRST WITNESS  
(Continues)

*and worked it backwards and forwards. I threw the blankets off and said it was too hot. The accused kept his hand on my penis.*

"I left the Battalion Orderly Room once more for a few minutes and returned. I was again asked by the accused to come to bed, so undressing I did so. When I laid down on the bed on the floor the accused pulled the blankets up. The accused was lying down on the bed on the floor and I lay down on the same bed beside him and he pulled the blankets over us. The accused pulled the blankets over both of us. After doing this he placed his hand on my penis continuing to work it backwards and forwards. I called Pte SHIELDS, who was sitting on his bed, to come over to where I was lying on the floor. He came over and I asked him if he could see what was going on and he said he could. I pulled the accused hand away and said "That is all Sgt JOHNSON". I got up put on my boots and pants, left the Battalion Orderly Room and went into the Adjutants Office next door and saw the Orderly Officer for the evening. I returned to the Battalion Orderly Room, put my shirt and jacket on and left the Battalion Orderly Room for the evening".

- Q2. - How did you call Pte SHIELDS?
- A2. - I used army terms. Something the same as we do on manoeuvres.
- Q3. - For the information of the Court, will you demonstrate how you called?
- A3. - "Down, Crawl, Observe", with emphasis on the Observe, and I kept up Observe.

CROSS-EXAMINATION BY THE DEFENCE

- Q.4 - You mention that Sgt JOHNSON gave you a drink, did he have a bottle?
- A4. - There was a bottle on the table, but it wasn't full.
- Q5. - I believe you were asked at the Summary of Evidence, Question 3, "Wasn't I pretty drunk", you answered, "Yes". Is that correct?

PROSECUTING OFFICER

I have certain information about a conversation that went on at this Summary of Evidence leading to this answer. A conversation created by this witness and the Officer taking the Summary in the presence of the accused, which resulted in this answer "Yes".

JUDGE ADVOCATE  
TO DEFENCE

- You can get the truth from this witness now. Ask what questions you wish.