

Did you see the accused hit Sgt. Ross?
 I saw him with his hand raised as I went to Sgt. Ross's assistance.
 Did you see the blow struck?
 No Sir.
 Are you certain this is the man?
 Yes Sir.
 Would you say the accused was drunk?
 Yes Sir.

Questions by the
 Defense.

4th Witness.

Sgt. Ross, J.D.A. 1st Bn Sussex H.C.
 Having been duly sworn states, I am a Sgt. of the 1st Bn Sussex H.C. "D" Coy, No. 2 platoon. At about 2150 hrs on the 20 June 1942, during an exercise, a prisoner was brought in to our H.Q. He was a member of the R22eR, who for the purposes of the exercise were the enemy. He was searched and questioned but as he was drunk no information was obtained. He was released. About ten or fifteen minutes later, I was informed another prisoner was being brought in. I went out to meet the prisoner and his escort. About twenty or twenty five yds from the gate of the H.Q. I saw five or six members of the R22eR, together with Sgt Waymark and Pte Prior of the H.C. There were also some half dozen R.A.F. personnel and one or two civilians. I approached the group and drew my revolver, which was unloaded and said to the members of the R22eR whom I recognized by their flashers, "you are all my prisoners and must come to H.Q. for examination." No. 24361 Pte Plante P.E. whom I recognize as the accused, approached me aggressively and said, "We are members of the R22eR and you can't threaten us." I replied that I was not threatening them and opened my revolver to show them it was empty. Pte Plante then prepared to hit me. I let him hit me first, so as not to be guilty of striking an inferior. He hit me on the nose causing it to bleed. I then began to defend myself, one or two other members joined in attacking me. I cannot identify them at this time. Lieut Ludlow intervened to assist me. He was knocked down and was unconscious when I picked him up. At this point some members of the Home Guard arrived and the group who were fighting moved off.

Questions by the Defense. Would you say that Pte Plante was drunk when he attacked you?
 Yes Sir.
 Did Pte Plante strike you first?
 Yes Sir.

Questions by the Defense. How many of the R22eR were involved in the fight?
 Three and possibly more.
 How old are you and how much do you weigh?
 Thirty years old. Approx seventeen stone.
 Was the accused drunk?
 I would judge him to be so.

5th Witness

Pte Latter, J.J. 1st Bn Sussex H.C.
 Being duly sworn states, at about 2200 hrs on the 20 June 42 I was on sentry duty at the village hall Singleton, when two Canadian soldiers turned into the gate. I halted them and called Sgt. Waymark who was in charge. We took them under escort and conducted them one of them to Lieut Ludlow of "D" Coy of the H.C. for questioning. We then came back to fight the other prisoner, Sgt Waymark and Pte Prior and myself formed the escort. On passing the Fox & Mounds we saw three Canadians who appeared to have been drinking. These Canadians followed us down the road and when our prisoner sat down, they came up and asked us why he was under escort. We tried to explain it as part of the exercise.