

Answers positive ?

Yes, sir.

What happened to you after Gnr McKinnon hit you out by the Hotel?
Fell to the ground.

What happened so what happened ?

Was struck on the head.

Was struck you ?

Outside walk.

Was there blood ?

Yes, sir.

Examined by the Defending Officer.

Can you say definitely that Gnr McKinnon struck you ?

Was the only one in the vestibule, yes, sir.

How did you get outside on the side walk ?

Walk through the door.

Was Gnr McKinnon ahead or behind you ?

Was behind.

Can you retain your hold of Gnr McKinnon ?

Yes, sir.

Would it be difficult to pull him through the door and out on the
sidewalk ?

Yes, sir. He is lighter than I am.

Who was in charge of Prowler Patrol, just what were you doing
in the "Cock" Hotel ?

It is my duty to go in and out of Hotels to keep peace.

How long have you been at the bar before the argument ?

Had been there earlier in the evening.

Was again examined by the Prosecutor.

How long have you known Gnr Swallow ?

Since Sep 19, 1939.

Did you met him where ?

At the Exhibition Grounds in Canada.

Is it true that you said that when you and Sgt Featherstone came
out of the Hotel that he fell to the ground pulling you down with
him ?

When I came out of the Hotel. I turned around, Sgt Featherstone
fell and I went back. When I regained my balance I came to him
and he went to the ground.

Was recalled and re-examined by the Prosecutor.

Swallow you are still under oath. I have one question I would

like to ask you; when did you first meet the Accused ?

When I joined the Army in Charlottetown, P.E.I.

That is all, sir.

The Defending Officer proceeds to make a closing address.

Now the Court has heard the evidence and from my point of
view everything is very indefinite. There is some difference
between the witnesses for the Prosecution. The Sgt stated that
both Gnr McKinnon were alone in the vestibule when he was hit.
Another witness of his stated that he came out first and then
Gnr McKinnon came out after him and struck him. Another point
seems a difficult position to be in, in being held by his
arm to swing and punch a person who was also coming out in
the vestibule. In closing I would say on such evidence it is im-
possible to find McKinnon guilty of having struck Sgt Featherstone."