

PROSECUTIONFIRST WITNESS

No.A.57841 Cpl CLARK WM, Cdn Prov. Coy No.6(Area), sworn, states:-

Q. Will you produce your part I Pay book?

The witness produces his PBM I Pt.I and shows the court where he was appointed a/Cpl in 15 Aug 45, rank with pay.

Q. Will you tell the court in your own words the happenings as you remember them on the evening of the 2nd Oct 45 at London at about 2300 hrs.

On the 2nd Oct 45 at about 2300 hrs I was on duty with 1/Cpl Diltz at Victoria Station. I seen two Canadians standing in front of the Victoria Station and urinating against the wall. I recognize the accused as one of the soldiers. There were people going to and fro. I approached them and requested to see their Part I, 2 and 3 of their PBM I, they started to argue with 1/Cpl Diltz and myself. I warned them of the offence and that if they didn't behave any better than that they would be charged accordingly. They would not stop so I placed Pte Reid under arrest and told him so. When I asked him for his pass Pte Reid said I won't show no fucking provost my pass. I asked for his pass in the usual procedure. It is made into an order if he refuses, I never made that into an order. I told Pte Reid to get into the Jeep. I took him by the arm and he struggled violently to stay out. With the assistance of the driver we managed to force him into the jeep. I think Pte Reid had one foot on the side of the jeep and was holding on to Pte Aussant to keep out of the jeep. After we managed to get Reid into the jeep and as I climbed into the front seat trying to hang onto the accused he struck me with his left foot. He had his shoe on. The blow landed on my forehead but caused my forehead to bleed but I think his intention was to get me out of the jeep. His feet were in the space between the front seats and he was in the rear. We managed to hang onto him until we arrived at Store street barracks, where I turned him over to the MCC i/c of cells to be detained. I would say that the accused had had a few glasses of beer but was not drunk. He walked well and his speech was clear and he seemed sober.

CROSS-EXAMINATION

Q. Cpl, have you a habit of seeing people on the street?
A. Canadians, no sir.

Q. You say he was not intoxicated?
A. I would say he had a few drinks.

Q. No medical authority to say that he was not intoxicated?
A. No sir.

Q. Are you qualified to say that this man was not intoxicated?
A. No sir.

Q. Have you ever seen a man "Blind Drunk"?
A. Yes sir.

Q. They re-act in different ways to drink?
A. Absolutely sir.

Q. Would you consider Pte Reid capable of carrying on a night patrol in the condition he was in that night?
A. Yes sir, I would say he was.

Q. No in reference to one of your statements here it more or