

Fourth Witness - K66325, Pte Davison, R. of the 1st Cdn Para Bn., having been duly sworn, states -

On the night of August 19th, 1943, at about 2330 hrs., while coming through Bulford Mil. Camp with Ptes. LEE, LANTHIER and PAISLEY and one other Canadian soldier whom I do not know, I saw an English soldier coming up the road in the same direction that we were going. Pte. LEE then said - "Let's start a mock fight and when this Englishman tries to stop us we will beat him up." Pte. LEE and Pte. LANTHIER then started this mock fight while PAISLEY stood to one side and shouted. The English soldier came up to ~~xxxx~~ <sup>stop</sup> this fight and LEE hit him and continued to beat him up while he was on the ground while the others stood around him. At this time, I was standing on the sidewalk with the other Cdn. soldier while this fighting was going on. It was obvious to me that I could not stop the fight without becoming involved. I then returned to Carter Barracks by myself.

Question - Can you identify the accused here before you by name?

Answer - Yes. I point to pte. LEE, Pte. Lanthier, Pte. Paisley

Question - Could you identify the victim of the assault by any means?

Answer - No more than the fact that he was an English ~~soldier~~ soldier which I know by his voice and the fact that he was wearing a wedge cap - all the Cdns. wear berets.

Question - Have you ever seen a Sgt. Wallace from the 506 coy., Personnel corps, or a Sgt. McIntyre from the 244 coy, Pioneer Corps, soldiers who claimed to have beaten up that same night?

Answer - I have seen both.

Question - Was the person you saw being assaulted one of these

Answer - I am certain that he was not one of these.

Question - You say that Pte. LEE suggested starting a mock fight in order to get the approaching English soldier to come up to them so that they could beat him up. Are you suggesting that Pte. LEE was looking for a fight?