

4th Witness
for prosecution contd

get him I will kill him." Then these three Rhodesian soldiers came in and they got in conversation with the accused men and as I turned around to them Axtell smashed a glass on the counter. Then the police arrived.

Cross examined - nil.

Re-examined.

Q.1 Was there a large crowd there?

A.1 Yes.

Q.2 Did you see either of the accused breaking windows?

A.2 No. I only heard the crash just before they came into the door.

Q.3 Do the windows get broken often?

A.3 They have been broken before.

DEFENCE C 953 Gnr Brooks, R.J. 89 Bty 1 Lt. A.A. Regt., R.C.A. having been duly sworn is examined :-

Q.1 Were you with the accused in the "Burrell Arms" on the night of the 29 Aug 1942?

A.1 Yes.

Q.2 Did you see them break any glasses or furniture?

A.2 No.

Q.3 If they had done so would you have seen it?

A.3 Yes sir.

Examined by the Court.

Q.1 When the accused went to the toilet were you with them?

A.1 Yes.

Q.2 How did you pass from one bar to another?

A.2 We went outside and then into the other bar.

R.P. 86(B) complied with.

G 17132 Gnr. Murray, J.S.K., 89 Bty., 1 Lt. A.A. Regt., R.C.A. having been duly sworn is examined by the defence.

Q.1 Were you with the accused on the night of the 29 Aug 42 in the "Burrell Arms"?

A.1 Yes.

Q.2 Did you see them break glasses or furniture?

A.2 No.

Q.3 If they had would you have seen it?

A.3 Yes.

Re-examined.

Q.1 Were you with the accused all the time?

A.1 No.

Q.2 When were you not with the accused?

A.2 Just while I went to the latrine.

Q.3 Which bar were you in when you went to the latrine?

A.3 In the Smoking Room.

Q.4 Did you leave the Smoking Room?

A.4 Yes we went round to the Public Bar.

Q.5 What happened when you were in the Public Bar?

A.5 They refused us drink.

Q.6 What did you do?

A.6 I didn't do anything.

Q.7 Did you leave the pub?

A.7 Yes.

Q.8 You left the pub immediately they refused you a drink?

A.8 No Sir.

Q.9 When did you leave?

A.9 As soon as Sgt Porrell told us to leave.

Examined by the Court.

2nd Witness
for Defence