

The 4th Witness for the Prosecution, A19315, L/Cpl. J. J. Melland, 7 Cdn. Fd. Coy., R.C.M., having been duly sworn, is examined:

- Q 84 Will you tell the Court just what happened on the night of the 28th February, 1941, as far as Spr. Long and Flynn are concerned?
- A 84 I saw Flynn at the NAAFI in Guillemont Barracks and returned from there and on going through the doorway into our own section billet Spr. Flynn was standing at the doorway, talking to one of the boys that came in with me and I turned around and I spoke to him and as I turned around Spr. Long, which I didn't know notice at the time, but I knew it was somebody, ran out behind and went past me. Someone called from the billet, "stop that man he has a loaded rifle" so I went partly through the billets and Spr. Hill said "just a moment, I'll get my flashlight," so he went to his bed and got his flashlight and came out and we more or less made a hasty search of the billet and then we went on out towards the gate and at the gate I met Flynn. I said "where is Long gone" and he said "he's gone to London," so I went up to the guard where the highway ~~xxxxxxxxxx~~ runs by to Cove and I called the guard from H. Q. and told them one of the boys was out with a loaded rifle and to be on the lookout for him. I left Hill with Flynn. Coming back-- it was quite dark-- and I met a person and when they were practically opposite me I flashed my light on and I seen it was Long, carrying his rifle, so I called to him, "Hey, Long, come on back here" or words to that effect, and he immediately started to run up the road. I ran after him and after covering a short distance he turned and I heard the bolt of his rifle come open, so I hit out the flashlight and threw myself on the pavement. A shot was fired. He ran on a few feet farther and turned into the bush. A second shot was fired, either on the edge of the highway or ~~xxxx~~ close to it. He ran into the bush on the left hand side and Hill came running up and said "are you hurt?" I said "no, I am not hurt" so I waited-- a few minutes elapsed there and another shot was fired, and so we were going to have everybody stopped, thinking he might come back, and we met one of the boys-- I don't know what unit he was with, now-- and we asked him did he see anybody carrying a rifle on the highway from Cove, or just immediately down the road, and so just at that time another shot was fired. Quite a few in the Camp was coming around by this time and they wanted to organize a searching party to go out and look for Long, and after a discussion about organizing this, I heard Long shouting and the fifth shot was fired, quite a ways up the road, so we thought it was too far to go and try to catch him that time of night and we went back into the barracks and got a truck and we were just ready to back the truck out when Capt. Bodwell and R.S.M. Nichols came along and ordered the truck back to barracks-- ourselves as well.
- Q 85 You are quite sure that it was Long who fired the ~~xxxxxxxx~~ rifle?
- A 85 Yes, sir.
- Q 86 And that the shots were directed at you?
- A 86 Yes, sir. The first shot, sir, was fired in my general direction, but the remainder they were fired in the bush, inside the lines, and that was quite a ways up the road.
- Q 87 You had every reason to think at the time that they were fired at you-- I mean the first one, at least?
- A 87 I am quite sure of the first one, sir.
- Q 88 When Long came out of the spider and went past you was it light enough that he could have recognized you?
- A 88 Yes, sir, I was standing directly in the doorway.
- Q 89 He know you, does he?
- A 89 He is in the same section, sir.
- Q 90 And he would probably know your voice?
- A 90 Yes, sir.