

the other hand I suggest to you all the more reason there should be an officer there to manage and control the show of that kind, particularly with these difficulties arising. I suggest too, that this officer owes a certain allegiance to his troops just as his troops do to him and that this officer, if he was in shape to think twice about this thing, should have been in his platoon area that night. The MO has given evidence that this man had no wounds, he said he didn't say anything to make Lieut Cradock believe he could stay around the RAP that long and looking at that same point from the other side I suggest to you, contrary to just what my friend has said, Lieut Cradock had no right to think there would be no further action out there that evening, that those men on the ground - even though only a few - were entitled to his leadership. The next point I wish to raise is that of the evidence of Capt Dickie and since the burden of running that whole show was on him that night, Lieut Taylor of 17 platoon had been wounded, Lieut Cradock wasn't there and I am not going to enter into the discussion of Lieut Fugh now, I will leave with you that it was entirely his whole show, there was no one there to give him a hand. Now, a word about this being quite a muddled affair. Close-in-fighting with small arms, machine gun fire, 88's and mortars is quite often enough to make any company show a muddled affair unless there are people there to manage it and I think enough has been said about that. Now, a word about the accused's defence and what my friend has said in that regard. This reference to his dazed condition - I don't know exactly how close the shell landed to him on that occasion but according to his own evidence it was 2 or 3 yards, if it is the same shell Pts Morrow spoke about it was some distance away. In any event as part of the case I have filed with the court the statement of the accused person in the summary of evidence.