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Statement by the Prosecuting officer Captain Guinness

B. J.

"In answering the statement of the defending officer I would point out that according to evidence submitted by the prosecution and not refuted by the defence - the accused did not run away until Corporal Michard had partly risen and turned, and definitely identified his assailant. Granted he could not identify him while the actual blows were being struck and he was struck from behind.

The defending officer states that Corporal Michard could not see the complete incident as he was in an adjoining room, consequently his evidence was of little value. However I wish to point out that although Corporal Michard did not see the first blow struck he did enter the room in time to see the accused strike Corporal Michard. No witnesses have been brought by the defence in an endeavour to contradict the evidence of Corporal Michard.

A witness was brought by the defence to show that the accused had been drinking that evening. I wish to state that this is irrelevant as according to law the accused is just as guilty whether he committed the act under the influence of liquor or not.

The defence states that none of the men who were playing cards with the victim stepped forward to identify his assailant. I submit that this is irrelevant as none of them were called to give evidence, by the prosecution."

Further statement by the defending officer Lieut Hoffleche

F. B.

"I wish to point out that in a crowded recreation room filled as it was with men standing and walking about, and with the air filled with smoke, there is some reasonable doubt as to the positive identification of the accused by Corporal Michard who only entered the room during the confusion. It is quite possible to mistake men of the same build, colour and dressed in the same type of clothing."