

C 23574/1.

GENERAL COURT MARTIAL.

held at Winchester.
on the 16th. August 1918.
Accused Lieut. W.S.VINCENT. M.C.,
King's Own Royal Lancaster Regt.
attached Royal Air Force.
Charge. Sec. 19. A.A.
Drunkenness. At Chisledon, on the 8th. July '1
when a patient in the Special
Division Military Hospital.
Plea Not guilty.
Finding Not guilty.

Accused released. 17th. August 1918.

Name.

Section.

Initials.

Date.

~~Maj Bracheroff PTL mms 10/8~~

~~F.2. F.2. MO. 30/1~~

~~D.A.P.S. DDAPS. 3/6~~

~~R.61 mms 4/9~~

(or) P.H.f. aew 10/5/20
R. 9/14/5

CLOSED.
NO FURTHER
MINUTES OR
ENCLOSURES
MUST BE PLACED
IN THIS FILE.

NOTED ON CARDS
5.28.29.27

P.I.

Register No.

C 23574/1.

Minute Sheet No.

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 Drunkenness. At Chisleton, on the 8th. July '18
 when a patient in the Special
 Division Military Hospital.
 Plea Not guilty.
 Finding Not guilty.

Accused released. 17th. August 1918.

Seen

J.M. Wesley
H.C.D.
for D.A.P.S.

M.S.
29 AUG 1918

F.2.

D.D.A.P.S.

*For you to see, & for any
 necessary action in respect of pay.*

J.M. Wesley H.C.D. S.O.1.

P.1.

*Papers to be returned to War office
 after noting.*

M.S.

[P.T. OVER

Please note this
REGISTER Number } _____

The Secretary to the Air Ministry transmits a carbon duplicate of a telegram
which was despatched to you to-day.

AIR MINISTRY,
STRAND,
LONDON, S.W. 2.

Date _____

C 23574
~~C 23574~~ Date

CONFIRMATION
OF
TELEGRAM.

Telegraphic Address:—
"AIRMINISTRY, LONDON."

Reg for
Xing + RC.
WB 17.9.18

M.O. Military Hospital
Chisleton

In G H 4 No 13 of 17.9.18. Please note how
Lt W. S. Vincent - R A F. is situated or where
transferred

Medical Administration Air Ministry

C 23574.
~~022466~~

Registry File No:

AIR MINISTRY,
STRAND, W.C.2.

I have to inform you that you are required to
appear before the Royal Air Force Invaliding Medical Board
at 9. Arkwright Rd. H'stead
on the 15/1/12 for examination as
to the state of your health.

H. W. Burleigh
(H.W. Burleigh).

for Medical Administrator.

Mr. W. S. Vincent



No

022466

Sergt. Shepard

Registry Room 21.

Please have under these
Proceedings jacketed &
returned to P. I. L. 520.

J. T. Pearce

for Major Beachcroft.

OFFICE OF
THE JUDGE ADVOCATE GENERAL.22nd August, 1918.

PROCEEDINGS

OF
Courts-Martial submitted for the Inspection of the Adjutant-General.

RANK	NAME	REGIMENT	PLACE OF TRIAL	DATE	OFFENCE	SENTENCE
Lieut.	W. S. Vincent, M. C.	King's Own Royal Lancs (att. Royal Air Force).	Winchester	16 th August, 1918.	Drunkenness.	Not guilty.

REMARKS :-

Kenneth Marshall

D. J. A. G.

for

J. A. G.

C.R.S.C. 204903 A.2. (Law)

16
108

Judge Advocate General
68 Victoria Street
WESTMINSTER S.W.I.

Confidential.

I have to forward the attached proceedings of General Court Martial held at the Rifle Depot, Winchester on 16th August 1918 for the trial of Lieutenant W.S.VINCENT, M.C. King's Own Royal Lancaster Regiment, attached Royal Air Force.



20 August 1918.

Chamberlain
Lindsay

Lieut. General.
Commanding-in-Chief.
SOUTHERN COMMAND

G.

COURTS-MARTIAL.

Form of Order for the assembly of a General ~~or District~~ Court-Martial.

Southern Command ORDERS BY Lieutenant General Sir H.C.SCLATER, G.C.B.,
 Commanding the Southern Command,
 (Place and Date) SALISBURY. 15th August, 1918.

The detail of officers as mentioned below will assemble at
 Rifle Depot, WINCHESTER. on the 16th day of AUGUST, 1918.

Lieutenant
 W.S.VINCENT, M.C. *aw.*
 King's Own Royal
 Lancaster Regt.,
 attd. R. A. F.

for the purpose of trying by a General court-martial the accused
 person [persons] named in the margin [and such other person or persons as
 may be brought before them].*

PRESIDENT.

Lieut.Col.G.H.TAYLOR, R.F.A.(T) attd.Heavy Artillery Trng.Cent

In the opinion of the Convening Officer a General Officer is appointed President.†

MEMBERS. the Public Service, available.

- A Major, Royal Wiltshire Yeomanry (T.F) Commdg.
 (619 (H.S) Empt.Coy.
- A Major, R.F.A. No.1 Reserve Battery, R.G.A.
- A Major, R.G.A. (T) "X" Reserve Battery, R.G.A.
- A Captain, Royal Lancaster Regt.Commdg.318 Works
 (Coy.
- A Captain, R.F.A.(T) Seconded Labour Corps, Commdg.
 (623 Empt.Coy.
- A Captain, R.G.A.(T) "W" Reserve Battery, R.G.A.
- A Captain, R.G.A. No.2 Reserve Battery, R.G.A.
- A Captain, Leinster Regt.Commdg."C" Coy.30th Br.
 (Middlesex Regiment)

NOTE.—The President
 must be named. The Mem-
 bers and the waiting members
 may be mentioned by name,
 or the number and ranks
 and the unit†† to which they
 belong may alone be named.

WAITING MEMBERS.

- A Captain, R.G.A.(T) "X" Reserve Battery, R.G.A.
- A Captain, (R.of.O) attached Rifle Depot.

JUDGE ADVOCATE.

Captain A.C.MOREING, London Regiment.

has been [or where the convening officer has
 the appointment of a Judge Advocate, is hereby] appointed Judge Advocate.

The accused will be warned and all witnesses duly required
 to attend.

The proceedings will be forwarded to Headquarters, Southern Command.

Signed this 15th day of AUGUST, 1918.

Charles Wood
 Lieut.Col., A.A.G.,
 SOUTHERN COMMAND.

* Any opinion of the convening officer with respect to the composition of the Court (see Rules of Procedure 20 and 21) should be added here, thus:

† In the opinion of the convening officer, officers of different corps are not, having due regard to the "public service, available," or as the case may be.

† Add here, if the president is under the rank of field officer, and the officer convening the court is not under that rank, "In the opinion of the convening officer a field officer is not, having due regard to the public "service, available." In the case of a District Court-Martial, if the president is under the rank of captain, add, "In the opinion of the convening officer a captain is not, having due regard to the public service, available."

†† The "Unit," in the case of Royal Horse or Royal Field Artillery, is a Brigade.

H. Taylor
R.F.A.(T)

H.

16/8/18
Fri.

Lieut W.S. Vincent 4147.

This is a charge against ~~2nd Lieut F.H.T.~~
~~Warrant~~ of drunkenness under Section 19 A.A.

The accused was a Hospital patient when the alleged offence occurred viz on the 8th July 1918 at Chisleton.

I shall call two witnesses for the prosecution. The first was on duty as Sick Officer Lieutenant & will tell the Court that the accused was drunk and will give you his reasons for saying so.

The second witness I shall call is a Medical Officer. He will corroborate the first witnesses' evidence and will also give the Court his reasons for stating that the accused was drunk.

On this evidence I shall ask you to find the accused guilty of the charge.

F.W.G. Fisher - Brown

Capt^m

Landon Regt

Warrant Officer

Geo: W. Taylor
Lt: Col: R.F.A.(T)
President

16/8/18

Sir. In this case I submit the Prosecution has proved that the accused is guilty of the charge of drunkenness alleged against him.

I would ask the Court to review the evidence for the prosecution. The first witness considered it his duty to place the accused under arrest. He states he was drunk and based this on the fact that he was staggering in his gait, (which he did not do normally), was abnormal in his speech, and was not fit to fulfill Military duty.

The second witness not only corroborates this evidence but amplifies it. He states that the accused was drunk & bases such statement on the fact that there was a strong odour of alcohol that his remarks were rambling that his gait was unsteady & that his general appearance was that of drunkenness. This witness is a qualified medical Practitioner.

The 3rd witness I called pursuant to the Court's ruling. He stated that the accused was in bed & that

Wm. H. Taylor
President
10/27/18

he did not see him walk. He states that his remarks were superficial but that accused was not drunk & could have if ordered pulled himself together sufficiently to carry out military duty. The witness stated he would not express his opinion as to this fitness.

The ^{last 2} witnesses ~~all~~ ^{both} gave their evidence frankly & openly & I suggest you must believe them in preference to the ^{3rd} witness who only saw him in bed. The accused did not call any other evidence than himself. Take his evidence. He denies being drunk but admits he had "3 or 4" whiskies & sodas between 8:30 & 8:55 PM. That is 4 whiskies & sodas in 25 minutes. I suggest this is a good deal & I submit it is quite enough to make a ^{man} of the accused's age drunk.

I must ask the Court to find the accused guilty of the Charge.

F. W. O. Fisher - ^{Bureau}
 Captⁿ

Manchester.
 Aug 16th
 1918

Lt. Col. R. F. A. T.
 President
 14/8/18

Witness in case of Lt. W. S. VINCENT, MC
Rings in Lancaster Rgt. att'd R.A.F. a patient in Special
Division military hospital CHISELDON



1st Witness

2/Lieut J. R. T. MARSHAM 364 Reserve Coy Labour Corps
a patient in Special Division military hospital CHISELDON

states:
at 9.30 pm on 8th July 1918 while doing my rounds at the
Special Division military hospital CHISELDON as sick
Officers adjutant I met the accused unfit for duty as
he was drunk. I made a report. I placed the
accused under arrest in charge of Lieut DRUMMOND.
The accused was unable to walk or speak properly.

J. R. T. Marsham
2nd Lt.

The accused has no question back.

2nd Witness

Lieut A. T. DENSHAM RA. etc. states:

As orderly Officer at the Special Division military hospital CHISELDON
at 9.50 pm on 8th July 1918 in consequence of a report
I saw the accused. I held conversation with him, he
was drunk. I bore my opinion (1) in his general appearance
(2) in his rambling remarks (3) on the alcoholic odor of his
breath (4) I went to the door for twenty seconds to speak to the
orderly during which the accused left his bed, he returned
when ordered & I noted that his gait was unsteady & he
assists himself by the furniture. at the time the accused was
a patient in Special Division military hospital CHISELDON

The accused has no question back. A. T. Densham
Lieut. R.A.M.C.

Remanded for further evidence on 29.7.18

3rd Witness 2/Lieut E DRUMMOND R.A.F. a patient
Dinman military hospital HISE. DON. states

About 9.30 pm, on 8th July 1918 Lieut. MARSHALL
ordered me to take in charge of the accused whom he
had placed under arrest. I stayed with the accused
until the desert officer arrived; he spoke to the
accused and I left the room. In my opinion
the accused was not drunk.

*Not to be used in court
called by my name in case call
I would give evidence
the accused is a deserter*

E Drummond
R.A.F.

The accused has no question to ask.
He accused after being duly warned & made no statement
I reserves his defence.

Taken down by me in accordance with the Rules
of Procedure 4 c.d.e.

Chiselom
30.7.18
mm

M Williams
Major. Name

**All printed matter not applicable to the particular Court being held should be struck out and initialed by the President.

**** Form of Proceedings for General, ~~District~~ and Regimental Courts-Martial.**

264903
SOUTHERN COMMAND

Proceedings of a General Court-Martial held at Rifle Depot Winchester on the 16th day of August 1918 by order of Lieutenant General

Sir H.C. Selous GCB, Commanding the Southern Command.

dated the 15th day of August 1918.

President.

Lieut Col G.H. Taylor R.F.A. (T) att'd Heavy Artillery Training Centre.

Members.

- Major G.E. Mackay. Royal Wiltshire Yeomanry (T.F.) County 619 (H.S) Supt Coy.
- Major W. Robertson R.G.A. (T) "X" Reserve Battery R.G.A.
- Captain F.G.L. Barnes Royal Lancashire Regt County 318 Water Coy
- Captain J.B. Kelton R.F.A. (T) Seconded Labour Corps County 623
- Captain J.H. Mudge R.G.A. (T) W. Reserve Battery R.G.A. Supt Coy.
- Captain A.J. Brand R.G.A. No 2 Reserve Battery R.G.A.
- Captain E.P. Hall Grenadier Regt County C Coy 30th Bn Middlesex Regiment.
- Captain V.J. Edwards R.G.A. (T) "X" Reserve Battery R.G.A.

Captain A.E. Moring London Regiment. Judge-Advocate.

Trial of Lieutenant W.S. Vincent R.C. Kingsdown Royal Lancashire Regt att'd R.A.F.
At 11.0. o'clock the Trial commences.

(1) The order convening the Court is read, and is marked G. signed by the president, and attached to the proceedings.

The charge-sheet and the summary of evidence are laid before the Court.

The Court satisfy themselves that a Major R.G.A. is not available

Captain V.J. Edwards serve owing to absence
Captain R.G.A. (T) "X" Reserve Battery R.G.A.

No 1 Reserve Battery R.G.A.

waiting member takes his place as a member of the Court.

The Court satisfy themselves as provided by Rules of Procedure 22 & 23.

(2) Captain F.W.G. Fisher - Browne London Regt appears as prosecutor, and takes his place.

The above named, the accused, is brought before the Court.

† Mr A. Lemon appears as counsel for the accused.

The names of the president and members of the Court are read over in the hearing of the accused, and they severally answer to their names.

Do you object to be tried by me as president, or by any of the officers whose names you have heard read over?

Question by the President to the accused.

No.

Answer by accused.

(N.B.—If objection is made it should be recorded, together with the decision of the Court, on a separate sheet.)

* Here insert No., Rank, full Name, Battalion and Regiment, and Appointment (if any).
† Here insert name and qualification.

B

The president, members, and judge-advocate are duly sworn.

~~The following officers under instruction are duly sworn.~~ 467

Charge-Sheet.

(3) The charge-sheet is signed by the president, marked B 2 and annexed to the proceedings.

Instruction.
If the accused has elected to be tried under Army Act, s c. 46 (8) the fact should be here recorded.

The accused is arraigned upon each charge in the above-mentioned charge-sheet.

Are you guilty or not guilty of the ⁴⁶⁷ ~~first~~ charge against you, which you have heard read? *Question to the accused.* 2

Not Guilty

Answer. 2

~~Are you guilty or not guilty of the second charge against you, which you have heard read?~~ *Question.*

Answer.

~~Are you guilty or not guilty of the third charge against you, which you have heard read?~~ *Question.*

Answer.

The accused having pleaded ~~Guilty to~~ ⁴⁶⁷ ~~charge~~, the provisions of Rule of Procedure 35 (B) are here complied with. 467

If the trial proceeds upon any charge to which there is a plea of "Not Guilty," the Court will not proceed upon the record of a plea of "Guilty" until after the finding on those other charges, such finding being recorded on Sheet E. *Instruction.*

CHARGE SHEET.

The Accused, Lieutenant W.S.VINCENT, M.C., King's Own ^{or Royal} Lancaster Regiment, an Officer of the Regular Forces attached to the Royal Air Force, a person subject to Military Law by virtue of section 158 (1) of the Army Act, is charged with:-

SECTION
19 A A

DRUNKENNESS,

- in that he -

at Chisledon on the 8th July 1918, when a patient in the Special Division Military Hospital was drunk.



WINCHESTER.
13 August, 1918.

Almker - Colonel
Commanding Rifle Depot.

To be tried by General Court Martial.

Salisbury.
15.8.1918.

Charles Wood
Lieut. Colonel, A.A.G.
for G.O.C-in-Chief, Southern Command

Gen: H. Taylor
Lt. Col: R.F.A. (TF)
President
14/8/18

Proceedings on Plea of Not Guilty.

(5) The prosecutor makes the following address ⁴⁸⁷ [hands in a written address, which is read, marked **H**, signed by the president, and attached to the proceedings].

The prosecutor proceeds to call witnesses.

First witness for
prosecution.

2nd Lieut J.R.T. Mauburn 13 Company
Southern Command Labour Centre

being duly sworn, is examined by the prosecutor.

At 9.30 pm on 8 July 1918 while doing my rounds at the Special Division Military Hospital Chisleton as Sick Officer Adjutant I met the accused Lieut Vincent whom I now identify. He was drunk. He was in between two blocks of huts. I placed him under arrest in charge of Lieut Drummond. The accused was unable to walk properly or speak properly. He was staggering. It was very hard to understand what he said. I had known the accused for about three weeks. His speech that evening I considered different from his normal speech. Cross-examined I counsel for the accused.

The accused was coming from the South Block towards the North Block when I saw him first. He half stopped when he met me and I went up to him. I took him back to the South Block. I mean he went back in my Company to his bed-room. It was there I placed him under arrest. He was not on duty nor due to go on duty. As far as I know he would have remained in his room when I left. I have no reason to think he would leave it. The only reasons I had for thinking the accused drunk are the ones I have stated. I cannot swear where he had been that day. I had to give him a room into his room from the time I met him. He was walking badly. I did not know he suffered from trench feet. After leaving him in his room I returned in about ¹⁵ minutes. He was then undressed in bed. I considered I was doing my duty in placing him under arrest. I would have placed him under arrest again in similar circumstances.

~~Re-examined by the Prosecutor.~~ ✕
 The Prosecutor declines to re-examine this witness. Examined by the Court.

First witness
 for the
 Prosecution

In my opinion the accused was not fit to carry out military duties. Normally his method of walking was good.

His evidence is read to the witness
 R.P. 82(B) is complied with
 The witness withdrew.

Lieut A. T. Penhame R.A.M.C. being duly sworn is examined by the Prosecutor. } Second witness
 for the Prosecution

As orderly officer on July 8th at 9.55 pm at Chisleton Special Hospital in consequence of a report I visited the accused. I held converse with him. In my opinion he was drunk. I base this on his general appearance the rambling nature of his remarks, the alcoholic odour of his breath. I left the room for twenty seconds during which he left his bed. On returning to it as he did immediately when ordered I noted his gait was unsteady. He continually repeated all he wanted was thousands of thuns. He made this remark in reply to the various remarks I made. His gait was lurching and he assisted himself by the furniture. I identify the accused as Lieut Vincent.

Was examined by counsel for the accused. The accused's bed room is quite small. There are two beds there but I cannot say what furniture. There is sufficient room to walk up the middle. It is not more than 12 feet long either way. He walked 8 feet about in my presence. He had his boots off. I did not examine his feet. I could not say if they were tender or not. I put my ear close to his mouth when he spoke because of my deafness. I don't think the light was poor. I remained three minutes with the accused. During the main part he was in bed. The whole nature of his conversation was rambling but I cannot remember any phrases except the one about thuns. I know he was under arrest. I believe I suggested he had been dining at Swinton He told me some name I could not hear but it certainly was not Swinton.

Cross-examined by Counsel for the accused.

Second witness
for the Prosecution.
Continued.

There is no official definition of drunkenness but I consider a man drunk if by reason of alcohol he is incapable of carrying out orders efficiently. I did not make an examination I was not entitled to. I did not consider the accused able to carry out his duties efficiently although he was in bed and I had no proper conversation with him. A third person was in the room when I entered. If he considered the accused sober I would attribute it to the fact that different men have different standards of drunkenness. I do not consider mine a very severe standard. Apparently it differs from that of Lieut Drummond and from many others. It is largely a matter of opinion. I believe Lieut Drummond was left in charge of the accused. The smell of intoxicants is far from being a sign of drunkenness.

Prosecutor declines to re-examine this witness.
His Evidence is read to the witness.

A.P. 83(B) is complied with.

The witness withdraws.

At this stage the Prosecutor intimates that he does not intend to call the third witness for the Prosecution. Counsel for the accused submits that he should be called and asks for him to be called.

The Court is closed to consider the application. On view of R.P. 75 and paragraph 2 thereof the Court decide that the witness shall be called by the Prosecution. The Court is reopened and the above decision made known.

2nd Lieut E. Drummond. R.A.F. being duly sworn
is examined by the Prosecutor.

{ Third Witness
for the Prosecution

About 9.20 pm on 8 July 1918 the accused Lieut
Vincent was placed under my charge. It was
explained the accused was under arrest and
I was to remain there until the orderly officer arrived.
I waited in the room until he arrived when I left. The
accused showed signs of having had something to drink.
He was talking superficially but in my opinion he
was not drunk.

Was examined by counsel for the accused.

I was about 10 to 15 minutes with the accused. I may have
been 25 minutes. He was partly undressed when I arrived
and finished undressing and got into bed in my presence.
I had not seen him walk at all. He was standing in the
passage with someone when I was on the way to my room.
At that distance he seemed quite normal. The light in the
room is not good. We had a few general remarks. His
remarks were superficial and light. I would not say
they were quite rational. He was not serious. I think
he would have pulled himself together to perform duty if
called upon. The accused was not disturbed while I was
there. I sleep in the next room and if he had been disturbed
I should have heard.

Prosecutor declines to re-examine this witness.

Examined by the Court.

I was not told on what charge the accused was under
arrest. I have known the accused between two and three
months. He is naturally a light hearted man. His conversation
that evening ^{was} a little more breezy than usual. X.

This evidence is read to the witness.

R.P-83 (B) is complied with.

The witness withdraws.

D

The prosecution is closed.

Defence.

3 Question to the accused. Do you apply to give evidence yourself as a witness?

3 Answer. Yes

4 Question. Do you intend to call any other witness in your defence?

4 Answer. No.

Question. Is he a witness to character only? Answer. 4H7

(7) [If the accused gives evidence himself, but calls no other witness to the facts of the case, his evidence will now be taken on a separate sheet.]

(6 & 7) * [The prosecutor addresses the Court upon the evidence for the prosecution (and the evidence of the accused) as follows: - 4H7

(Hands in a written address, which is read, marked I, signed by the president, and attached to the proceedings.)]

5 Question to the accused. †(6, 7 & 8) Have you anything to say in your defence?

5 Answer. The accused in his defence says: by his counsel.

[Hands in a written address, which is read, marked I, signed by the president, and attached to the proceedings.] 4H7

A man is either drunk or sober according to English Obedience Law. Once he accused had been placed under arrest there was no opportunity of retraction. It is the duty of the prosecution to prove he accused was drunk they have failed to do so. The accused had thick feet and they became very sore with walking. That is a reasonable explanation of his unsteady gait. In the room he accused was walking on bare boards with bare feet. As regards the words used we all have our catch phrases which we use. No one denies that the accused behaved

* If the accused calls other witnesses to the facts of the case, whether he himself gives evidence or not, this paragraph will be struck out, and the course laid down in R. P. Appendix II. (8) will be followed.

† This question will always be asked, unless the accused has himself given evidence and is represented by counsel or by an officer having the rights of counsel, in which case such counsel or officer only will be entitled to address the Court.

D 2

in a perfectly respectful and subordinate manner.
He was not abusive or used bad language.

Lieut Marchant has only known the accused
for two or three weeks and so is not in a good
position to judge of the accused's speech. This also
applies to the Doctor on account of his deafness.

Lieut Pennington had the accused under observation
longer than anyone and he says the accused was
not drunk.

The Judge Advocate shall sum up.

The evidence of
the witnesses
for the de-
fence, includ-
ing that of the
accused, if he
is a witness,
will be taken
here in the
order in
which they
give evidence.

The accused takes his stand at the place from which other witnesses give their evidence.

The accused is duly sworn and is examined by his counsel.

I am 19 years of age. I have held a commission since 1915. I have been to the Front three times and returned. I have been twice wounded and have the Military Cross. On 8 July 1918 I left the hospital at 2.30 pm. I went to Coate where there is a lake or reservoir three miles from the Camp. I walked there. I rowed on the water but tea there and went for a walk afterwards. About 8.30 pm I went to the Sun Inn. I left there at 8.55 pm. I had three or four whiskies and sodas certainly no more. I had no intoxicants that evening before or after leaving the Sun Inn. I walked back to Shaba to meet a taxi and arrived at the Camp about 9.25 pm. I left the taxi and walked about 300 yards to my quarters and put my hat and stick on my bed. I then went to find Lieut Standham. I wished to report myself present as he will should be called at 9.30 pm. It is sometimes called later. I wanted to go to bed and not be disturbed by the noise of roll call. I had walked about 10 miles altogether. I had not walked very much on previous days. This walking caused my feet to swell and become painful. I had a limp. I met Lieut Standham and we went to my room together. He certainly did not assist me. I walked about 25 yards with him. He put me under a tent on arrival at my room in charge of Lieut Drummond. I undressed and got into bed. I had no difficulty doing so. When I was in bed Lieut Standham arrived. While this officer was there I got out of bed to relieve myself.

I had nothing on my feet at the time. I was walking on bare boards. It is almost impossible to move about the room without breaking furniture. So is almost certain I touched the dressing table. I believe I am always fairly nervous. I was not in any way disturbed or used bad language. I was not inordinate. I obeyed the only order given to me. I was not drunk. I was perfectly capable of carrying out any duty I might have been detailed for.

Examined by the Prosecutor.

I was not in hospital for trench feet. I believe there is a rule against drinking alcohol out of hospital. I am not sure. I had been ~~in~~^{there} ~~about~~⁴¹ about two and a half months. I did not always take alcohol when I went out. I had not had a drink for about 3 weeks before July 27. I certainly had no more than four whiskies and sodas. They were single ones. I was at the Sun 3 or 25 minutes. I felt Nashman did not assist me in any way to my room. I was unsteady on my feet but that was due to the swelling. My speech may have been a little excitable but he could certainly have understood what I said. I don't think I repeated the remark about Thurs more than twice. It is just a little expression sure. I always assist myself by the chest of drawers which is in such a position that one has to do so to get into bed.

Re-examined by his counsel.

It was a very hot day and the heat of the roads would affect my feet.

Examined by the Court.

I had trench feet in November 1907. I was discharged from hospital in February 1908.

The evidence of the accused is read to him. R.P. 83(13) is complied with. The accused withdraws from the place from which he has given his evidence.

E
Finding.*

(10) The Court is closed for the consideration of the finding.

(10 and 11) The Court find that the accused ^{is} interment W.S. Vincent Mc. King's Own Royal Lancaster Regiment is not guilty of the charge

Finding.
Not Guilty.

The findings ^{Q.A.T.} are read in open Court and the accused is released.

Signed at Rifle Dept Winchester this
seventeenth day of August 1918.

J. Choseingale
London Regt.
Judge Advocate

Geo: H. Taylor
Lt. Col: R. F. G. (T)
President

PROCEEDINGS ON CONVICTION before Sentence.

(12) The Court being re-opened, the accused is again brought before it

Evidence of character, &c.

is duly sworn.

Question by the president.

Have you any evidence to produce as to the character and particulars of service of the accused? Answer by the Witness.

The above statement [with the schedule of convictions and of cases in which trial has been dispensed with] is read, marked, signed by the president, and annexed to the proceedings.

Question by the president.

Is the accused the person named in the statement which you have heard read? Answer by the Witness.

Question.

Have you compared the contents of the above statement with the regimental books? Answer.

Question.

Are they true extracts from the regimental books, and is the statement of entries in the conduct sheets a fair and true summary of those entries? Answer.

Cross-examined by the Accused.

[Instruction.—If by reason of the nature of the service of the accused in a departmental corps, or otherwise, the finding of the court renders him liable to any exceptional punishment in addition to that to be awarded by the court (for instance, forfeiture or reduction of corps pay), the prosecutor must call the attention of the court to the fact, and the court must inquire into the nature and the amount of such additional punishment.]

Question to the accused.

Do you wish to address the Court? Answer.

The Court is closed for the consideration of the sentence.

*To be omitted, except in cases of a plea of Not Guilty having been proceeded with.

F

Sentence.

The Court sentence the accused

Sentence.

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