

THOMAS and MORANT

THOMAS: Well, um, I'm afraid we don't have much time. It seems you've got yourself into a shade of bother.

MORANT: That's what I'm told. Please take a seat.

MORANT stands and offers THOMAS his chair at the desk. THOMAS takes out a ledger to take notes.

THOMAS: Thank you. The, ah, charges are very serious. Apparently, the Kaiser himself directly requested the King to order the enquiry.

MORANT: Well, we've had the enquiry so the Kaiser should be happy.

THOMAS: But now, we've got a court martial. I've read the reports of the enquiry. There are a few points I would like to go over with you. How friendly were you with the late Captain Hunt?

MORANT: He was my best friend.

THOMAS: Did you see his body when it was brought in?

MORANT: I saw it alright. It was cut to pieces.

THOMAS: Oh. Um, at the enquiry you said you had received direct order from Captain Hunt not to bring in the prisoners alive, yet you did.

MORANT: That's correct.

THOMAS: You disobeyed orders?

MORANT: Yes.

THOMAS: Where did the orders originally come from?

MORANT: Direct from Lord Kitchener.

THOMAS: Lord Kitchener!

MORANT: That's what Simon Hunt told me. Also, I understand there was a proclamation from Kitchener himself that all Boers wearing British uniforms were to be shot.

THOMAS: Captain Hunt told you this.

MORANT: Yes, and it was common knowledge.

THOMAS: Captain Hunt is dead.

MORANT: Kitchener is alive.

THOMAS: These are not very conventional orders?

MORANT: Look Major. We were never meant to be a conventional fighting corps. We lived off the land, we fought the Boers as they had been fighting us. We asked no quarter, and we gave none. Those were the orders. Now this whole thing has become political.

THOMAS: Perhaps.

MORANT: I might have spent the last sixteen years in the Australian bush, but that doesn't mean I can't smell politics when it is farting in my face.

THOMAS: The law will take its course. Now to more practical matters. There will be three separate courts martial. One, on the shooting of the Boer prisoner, Visser; the second, on the shooting of the eight Boer prisoners; the third, on the shooting of the German missionary Hesse. Naturally we will plead "not guilty" to all three charges. However, you don't deny having Visser shot, do you?

MORANT: No, I don't. But I deny the charge of murder. We had him court-martialled.

THOMAS: And the eight Boer prisoners?

MORANT: Yes, I had them executed, but it was not murder as the charge reads, unless shooting the enemy in war time is murder?

THOMAS: Yes. And the German missionary, Hesse?

MORANT: No. I don't know anything about that.

THOMAS: You weren't involved with his death in any way whatsoever?

MORANT: I said "no", Major, and where I come from, that is enough.

THOMAS: I only wish it were the case here. You were one of the last to see Hesse alive though?

MORANT: Yes.

THOMAS: Did Lieutenant Handcock speak to Hesse?

MORANT: No.

THOMAS: Did Lieutenant Hancock leave Fort Edward several hours after you had spoken to Hesse?

MORANT: Yes.

THOMAS: Do you know where he went?

MORANT: Yes.

THOMAS: Where?

MORANT: You will have to ask him that.

THOMAS: Why can't you tell me, Lieutenant?

MORANT: It's his affair, Major. Are you representing us or not?

THOMAS: Yes, if I get a bit of cooperation; but I expect straight answers.

MORANT: Alright, I'll ask you for one. Are you going to get us off?

THOMAS: I don't know. We are running in what you might call a handicapped race.

MORANT: There is one thing. My horse, "Bideford Boy". He is stabled in the Garrison prison. The Commandant there is demanding I hand him over. He is my private property, so would you do something about it for me. I don't want his mouth ruined.

THOMAS: I'll see what I can do.

MORANT: This whole thing is political then?

THOMAS: As I said, perhaps.

MORANT: Damn politicians.

THOMAS: They have a mystery of damning themselves.

MORANT: Contact the Australian government. Cable Melbourne, we've just become a Commonwealth, that should mean something in Whitehall.

THOMAS: I doubt whether some of the people in Whitehall have ever heard of Australia, let alone the Commonwealth. Anyway, we don't have time, they mean to get this business over with quickly.

MORANT: Try. We did our part. We fought.

THOMAS: I wouldn't be optimistic, not with Whitehall.

MORANT: You are cynical for a young man.

THOMAS: I improve with every case.

MORANT: Listen Major, we did what they asked. We fought which means we killed. We killed as many of the enemy as possible. That's how you win wars even if those that declare wars forget that. Out there, beyond the barbed wire, we had only one rule: survive!

THOMAS: Perhaps that's what Whitehall is trying to do now. Survive.

MORANT: Bugger Whitehall. Do you know what the Boers did to Simon's body?

THOMAS: I read the reports.

MORANT: You read the bloody reports. Just like Whitehall did. That's nice.

THOMAS: I know how you must feel.

MORANT: Do you? Do you know what happened the very last time I saw him alive, Simon Hunt and I argued, and I'll tell you why. Because of me bringing in prisoners alive. Isn't that a joke. Isn't it?

THOMAS: Look, if I can persuade the Court that you're innocent of the charge of murdering the German missionary Hesse, I think we're home and hosed. Are there any witnesses you can think of that we might need?

MORANT: Yes. Captain Simon Hunt. He's the one that could have testified that he gave me the order, "no prisoners", and he's the one who could have said where those orders came from.

THOMAS: Lieutenant Morant, I'm sorry, but he is dead.

MORANT: Well, thank you for pointing out the obvious.

THOMAS: You are edgy aren't you?

MORANT: I'm sorry. I didn't think you would notice. I think it might have something to do with being here for three months with nothing but questions day in and day out. War affects people, doesn't it?

THOMAS: It can. Tell me, why did you go to war?

MORANT: You are the second to ask me that today. For all the right reasons I guess, honour and glory. Especially honour. Did you know that I was expelled from the Royal Naval College over a gambling debt I couldn't pay at the time. Father was livid. He told me I was reckless and kicked me out of home over that. I was sixteen. He gave me two pounds and a one-way ticket to Australia to start a new life where no one knew me. And what did I do? I joined the Army. All I knew was how to fight.

I went back to Devon last year to see mother and father. It was worth it to see mother. But father, well, I will never know what he thought, but at least he let me sleep under his roof. Isn't it amazing how an officer's uniform can open doors, especially ones that you thought were closed forever. The uniform allowed me to be a part of the Devon season. I was invited to garden parties, where I listened to gossip and chased fox on horseback. That's how I met Simon. But best of all, I fell in love with the prettiest girl in Devon. I hope, when this is over, Katherine will join me in Australia, but I think the change will be too much for her. You know, perhaps father is right about me after all. At least he's sure to think so now.

My God, solitary confinement loosens a man's tongue, doesn't it.

THOMAS: Well, I must go now. I've yet to see Handcock and Witton.

MORANT: Yes. I apologise for talking on.

THOMAS: No. Don't. It's just I've been given so little time to prepare my brief.

MORANT: Thank you, Major Thomas.

THOMAS: Jim.

MORANT: Thank you, Jim.

THOMAS: Chin up.

ROBERTSON and BOLTON (Thomas and President)

BOLTON: You were in the regular army for twenty-three years Mister Robertson?

ROBERTSON: Yes. With the Tenth Hussars. I served with the eighth Corps M.I. for nine months before taking command of the Bushveldt Carbineers in the Transvaal region.

BOLTON: Twenty-three years in the British army. You must have a good idea of just how things should be in the army. Tell me, how was the discipline in the Bushveldt Carbineers?

ROBERTSON: Very poor, it was a real problem, there were so many irregulars and they just weren't used to discipline. In a wild area such as the Transvaal, it was almost impossible to maintain.

BOLTON: Would you give specific examples of these breaches in discipline?

ROBERTSON: Yes, certainly. I can remember an occasion when troopers were drunk on duty. They had made themselves a spirit still.

HANDCOCK: I know who got the most from it, hey "Rolly" Robertson?

PRESIDENT: Order.

BOLTON: Anything else?

ROBERTSON: They were an unruly lot always answering back their officers.

THOMAS: I must protest Mr President. Two of the defendants were not even at Fort Edward at this time.

BOLTON: Mr President, I am trying to establish the irregularities that manifested themselves among Bushvelt Carbineers prior to the shooting of the prisoner Visser.

PRESIDENT: Objection overruled. This Court is very much concerned with the events in the Bushvelt Carbineers prior to the shooting of the prisoner Visser. You may proceed Major.

BOLTON: Thank you, Mr President. Go on, Mr Robertson.

ROBERTSON: Well, there was a stealing of cattle. I tried to stop that too, and one of the defendants there, Handcock, I reprimanded for what I considered a breach of the rules of war.

BOLTON: What did he do?

ROBERTSON: He placed prisoners of war in open carriages in front of the train engines, which made them, the prisoners, very vulnerable to being shot at by their own side.

HANDCOCK: Better than us bein' shot at!

PRESIDENT: Order!

BOLTON: I see. Anything else?

ROBERTSON: Yes, pilfering was widespread, particularly where liquor and tobacco were concerned. I tried hard to put a stop to it. I can assure the Court of that, but it was hard, very hard.

BOLTON: Quite! Was there anything else to tell the Court?

ROBERTSON: No, except it was impossible to keep discipline.

BOLTON: Thank you, Mr Robertson.

PRESIDENT: Major Thomas, would you like to cross examine?

DRUMMIT and BOLTON

BOLTON: Sergeant-Major Drummitt, you were present at the shooting of the prisoner Visser. Would you mind telling the court what happened?

DRUMMITT: Well sir, after we had caught the prisoner, Lieutenant Morant was going to have him shot on the spot.

BOLTON: Would you mind telling the Court what happening next?

DRUMMITT: Well, sir, we protested – we said he couldn't do this.

BOLTON: Who is we?

DRUMMITT: I think it was Lieutenant Witton who spoke to him – after I and several other mentioned we didn't like what was going on.

BOLTON: I see, and what happened next?

DRUMMITT: I can't rightly say – they were out of earshot, but I could see Lieutenant Morant was very wild, waving his hands around and pacing up and down, like a madman you might say.

BOLTON: And what happened next, Sergeant-major?

DRUMMITT: Well, they decided to hold a court martial there and then – in the bush.

BOLTON: This court martial, for the lack of a better word, was it carried out as laid down in King's Regulations?

DRUMMITT: Most definitely not, sir.

BOLTON: Why do you say that?

DRUMMITT: Well for a start it was all sort of rushed. I don't think it was right, Lieutenant Morant presiding over the hearing, not the state he was in, after all he was so friendly with the Capt...., the last Captain Hunt, and this man was one of the blokes who.... well, did the Captain in.

BOLTON: Were there any other irregularities.

DRUMMITT: Well, it did seem a bit rushed – we captured this bloke called Visser and the next morning he was court-martialled and then shot.

BOLTON: You used the word "court-martialled".

DRUMMITT: Well, you know what I mean, sir – as you said, for the lack of a better word.

BOLTON: Yes, I know what you mean, Sergeant-major. What was the man Visser charged with?

DRUMMITT: Wearing British khaki, sir. He was wearing part of Captain Hunt's uniform.

BOLTON: I see. Sergeant-major Drummitt, would you explain to this court the events that led to Captain Hunt's death?

DRUMMITT: We were on patrol, sir, Captain Hunt in command. There were seventeen of us. We decided to rush this farmhouse. We knew there were Boers there, but we were not expecting the numbers that they had. There must have been at least eighty of them and they were waiting for us. Captain Hunt and two of the sergeants managed to reach the house. They shot several of the Boers, then Captain Hunt got it. I could hear him moaning on the ground...

TROOPER BOTHA and THOMAS (President and Morant)

PRESIDENT: Would you care to cross examine, Major Thomas.

THOMAS: Trooper Botha, did you volunteer to shoot the prisoner Visser?

BOTHA: No. I didn't do that. No.

THOMAS: Did you volunteer for the firing party that was to shoot Visser?

BOTHA: No. I was commanded, and I only obeyed orders. I didn't murder anyone.

THOMAS: So, you were in the firing party?

BOTHA: Yes, I was.

THOMAS: Tell me, Trooper Botha, did you ever hear the late Captain Hunt tell Lieutenant Morant and Handcock or any other officer not to bring in prisoners?

BOTHA: No. No, I didn't.

MORANT stand, furious. BOTHA jolts, scared of MORANT's menace.

MORANT: Liar! You pathetic liar! Who told you to say that!

PRESIDENT: Order! Order! Sit down, Lieutenant Morant!

MORANT sits down.

THOMAS: I will repeat that rather important question. Do you know of any orders, given by the late Captain Hunt, to the effect that prisoners were not to be brought into Fort Edward alive? You are on oath, Trooper Botha.

BOTHA looks extremely uncomfortable. He looks at MORANT and lowers his head.

BOTHA: I know nothing of such orders.

THOMAS: Do you know of any orders by Captain Robertson that prisoners were not to be brought in alive?

BOLTON: Objection! The defence counsel is again incriminating Mr Robertson.

THOMAS: I have no further questions, Mr President.

THOMAS sits, defeated.

PRESIDENT: You may stand down, Trooper Botha.

DOCTOR JOHNSON and BOLTON

BOLTON: Doctor Johnson, you must accept that I am layman to the medical arena.

DOCTOR: And to the war arena as well, by the look of ya.

BOLTON clears his throat.

BOLTON: Doctor Johnson, would you mind explaining how you arrived at your conclusions.

DOCTOR: The original wound was made by a 38 revolver. To a man that has never seen war, that's a gun. The bullet entered the clavicle. To the layman, that's the collarbone. That wound could not have caused the Captain's death within the period of time that the Captain was retrieved.

The lacerations and the bruising to the Captain's hands indicate, in my opinion, that the deceased tried to fend blows away from his face and body prior to death. I believe, the cause of death was a broken neck.

BOLTON: I see. Doctor Johnson, twice you have said, "I believe", and you have said "In my opinion", once.

DOCTOR: I thank you for being so attentive.

BOLTON clears his throat.

BOLTON: Are you certain, beyond reasonable doubt, that these mutilations took place prior to death? Are you?

DOCTOR: For the layman, I am a medical practitioner and not the divine. That is why Doctor's say "I believe" and "In my opinion."

BOLTON: Your opinion, beyond reasonable doubt?

DOCTOR: I can only reiterate-

BOLTON: Beyond reasonable doubt?

DOCTOR: Yes! Beyond reasonable doubt!

BOLTON: Doctor, is it possible that the mutilation could have been caused after his death when his neck was broken.

DOCTOR JOHNSON looks BOLTON right in the eye.

DOCTOR: Major, as a layman, let me explain. When a soldier is on the ground and fighting for his life, he will do anything to stay alive. The natural reaction to an

attack, while a soldier is on the ground, is to use his hands to shield his face. If the Captain were dead, the hands would not have had anywhere near the lacerations that I examined on Captain Hunt. Was that layman enough for you, Major?

BOLTON is put in his place.

BOLTON: Thank you Doctor.

BOLTON sits.

DOCTOR: Major, may I suggest that you stick to law, because it's clear that you wouldn't know your cranium from your anus.

TAYLOR, THOMAS, BOLTON, PRESIDENT (Witton, Hancock)

THOMAS: Captain Taylor, would you please tell the Court how long you were with the Bushveldt Carbineers and your authority within that Corp?

TAYLOR: I joined the Bushveldt Carbineers at the direct request of Lord Kitchener.

THOMAS: Lord Kitchener?

TAYLOR: Yes. There was at its inception in 1901, and I remained with the Corps until my arrest and it's disbandment three months ago. I was a special officer in command of intelligence and in the main worked the isolated part of the Transvaal where Lieutenant Morant was stationed.

THOMAS: Were you senior to Lieutenant Morant? That is, did he take orders direct from you?

TAYLOR: Senior, yes. But the day to day running of the Corps in our part of the Transvaal area was left to Lieutenant Morant – although sometimes he referred matter to me, or to Fort Edward. But as I said, I was an Intelligence Officer.

THOMAS: Did you come into contact with Captain Hunt often?

TAYLOR: Yes. Often.

THOMAS: Do you know of any orders that prisoners were not to be brought into Fort Edward alive?

TAYLOR: Yes. There was an understanding.

THOMAS: How do you know this? Was this standing orders?

TAYLOR: Yes. Captain Hunt said the orders were directly from Pretoria. I also spoke to Colonel Hall, who has recently been transferred to India, who confirmed what Captain Hunt had said to me.

THOMAS: Would anyone else know of these orders?

TAYLOR: Major Lenehan knew of the same orders as well.

THOMAS: Were you ever present when Captain Hunt gave this order to either Lieutenants Morant and Hancock?

TAYLOR: Yes. On two occasions I remember Captain Hunt severely reprimanding Lieutenant Morant in the presence of myself and several other officers, for bringing in prisoners. Lieutenant Hancock was present.

THOMAS: Would you mind telling the Court what Captain Hunt said to Lieutenant Morant?

TAYLOR: The first or the second time?

THOMAS: Both.

TAYLOR: The first time Captain Hunt had asked Lieutenant Morant why he had brought prisoners in. Captain Hunt said that they should have been shot.

THOMAS: Captain Hunt said that?

TAYLOR: Words to that effect.

THOMAS: And the second time?

TAYLOR: Captain Hunt, again reprimanded Lieutenant Morant for bringing prisoners in, as we didn't have the room or the rations for them.

THOMAS: Those were his exact words?

TAYLOR: Very close to that.

BOLTON stands.

BOLTON: I must object, Mr President. This line of questioning is extremely irrelevant.

WITTON: It's as relevant as this court!

HANDCOCK: Bloody oath it is.

PRESIDENT: Order! Sustained. Major Thomas I must point out that nothing should be admitted as evidence that does not tend immediately to or disprove the charge of criminal proceedings.

THOMAS: I suggest this evidence is very relevant-

PRESIDENT: I have given my ruling, Major!

MORANT: They don't want to hear, Major!

THOMAS walks up to the PRESIDENT.

THOMAS: Mr President, this is very pertinent evidence. Captain Taylor has established that it was common practice in the Bushveldt Carbineers to shoot prisoners, and that under two commanding officers this was the practice.

It is significant, that after Captain Hunt introduced some discipline to the Bushveldt Carbineers on taking command from Mr Robertson, he retained this one legacy from the previous commander. So, why? Captain Hunt's record throughout his military career is spotless. Why, on going to this region should he retain the order that no prisoners were to be brought in alive? Why would he dare to do this on his own initiative? I ask you, would he?

PRESIDENT: What are you suggesting, Major?

THOMAS: I am not suggesting anything, Mr President. I am putting to yourself and the Court, as a military man, could you conceive an officer of Captain Hunt's standing, taking it on his own initiative, to give the order to shoot prisoners and then reprimanding subordinates for not doing so?

PRESIDENT: I must ask you, Major, to stick to the facts of this case.

THOMAS: Then, sir, as the witness has stated on oath and other witnesses have confirmed, that fact is, Captain Hunt gave orders to Lieutenants Morant and Hancock-

PRESIDENT: Look young man, where are you trying to lead this Court! I have given my ruling! Enough of this!

THOMAS is desperate.

THOMAS: Mr President, I must ask you to reconsider. Captain Taylor's statement is relevant. You have heard two previous witnesses yesterday that they sent a full report of the incident of the Visser court martial to Colonel Hall, yet no action was taken. Why? Not even a reprimand. Why?

PRESIDENT: There is no jury here to appeal to with such emotional outbursts, Major Thomas.

With effort THOMAS calms himself down and addresses CAPTAIN TAYLOR.

THOMAS: Captain Taylor, I understand from time to time you were stationed with other corps for short periods of time doing intelligence work?

TAYLOR: That is true.

THOMAS: Did you come across any other incidents similar to the Visser case?

TAYLOR: I saw a Boer dealt with in a similar fashion for wearing khaki.

THOMAS: Shot?

TAYLOR: Yes.

PRESIDENT: You are still introducing irrelevant material.

THOMAS: Mr President, I put it to you that such practices carried out in other corps of the British army have a bearing on all those that wear the King's uniform. I wish to establish that a precedent in this war had been well and truly set. That under this new hit and run, this commando warfare, civilised rules and customs of war had long been departed from by the Boers and, when such customs are departed from by one side, reprisals from the other side must follow.

PRESIDENT: This is all purely secondary evidence of Captain Taylor's.

MORANT stands.

MORANT: What do you think this Court is based on!

PRESIDENT: Order! Order!

THOMAS: Sit down Morant! Please.

MORANT sits. THOMAS picks up his ledger and reads from it.

THOMAS: Mr President, no doubt you are aware that Section 32, paragraph five of the Manual of Military Law states, and I quote, "Any person wearing a military uniform of the British forces when not entitled to, can, during the time of war, face the death penalty." Captain Taylor, do you know of such orders being issued as of late?

TAYLOR: I was with one column when it was published in standing orders that Boers captured wearing khaki were to be summarily dealt with.

THOMAS: "Summarily dealt with.". What does that mean?

TAYLOR: One thing only. They were to be shot.

PRESIDENT: Stop this line of questioning! I am not going to warn you again Major!

THOMAS stares back at the PRESIDENT.

THOMAS: Captain Taylor, to the best of your knowledge, until Captain Hunt was killed, did the defendants here bring in prisoners alive.

TAYLOR: Yes.

THOMAS: As an Intelligence Officer would you have a good idea of the results achieved by Lieutenant Morant in the area under his command?

TAYLOR: Yes, I would.

THOMAS: Would you mind telling the Court?

TAYLOR: Exemplary. There were none better in the whole Transvaal Region.

THOMAS: Thank you, Captain Taylor. That will be all.

THOMAS sit down.

PRESIDENT: Major Bolton, the witness is yours.

BOLTON stands.

BOLTON: Captain Taylor, what does "Bulala" mean?

TAYLOR: Death. To die.

BOLTON: As an Intelligence Officer I would have thought you would have been able to give a more accurate translation than that.

TAYLOR stares boldly at TAYLOR.

TAYLOR: (Softly) Killer.

BOLTON: Pardon Captain, I didn-

TAYLOR: Killer!

BOLTON: I see. Was that the name given by the natives to you?

TAYLOR: I understand so.

BOLTON: Tell me, Captain, are you not the one and the same Captain Taylor who is yet to be court-martialled for inciting the murder of six Boer prisoners.

TAYLOR: That is correct.

BOLTON: Would it not be in your interest to suggest that order was given that prisoners of war were to be shot?

TAYLOR: Are you saying that I am lying, Major?

BOLTON: Answer the question, Captain.

TAYLOR: You answer my question first!

PRESIDENT: I remind you that this is a Court, Captain Taylor. Answer the question.

TAYLOR: Yes. It could be in my best interests to suggest that, but-

BOLTON speaks loudly over TAYLOR.

BOLTON: Thank you, Captain Taylor. No further questions.

PRESIDENT: Captain Taylor, you may stand down.

TAYLOR stands and looks at MORANT suggesting that he is sorry. MORANT nods his head in understanding. TAYLOR leaves.

PRESIDENT: In view of the excessive heat, the court will take this opportunity to adjourn until ten o'clock tomorrow morning.

PRESIDENT, THOMAS, MORANT, BOLTON (Witton, Handcock)

V/O: The Court is now in session.

PRESIDENT: Major Thomas, would you care to call your first witness?

THOMAS: No, Mr President, I would like to depart from the schedule of witnesses and call Lieutenant Morant to the stand.

PRESIDENT: This is highly irregular.

THOMAS: Nevertheless, I crave the Court's indulgence.

PRESIDENT: This is a matter for the Prosecutor to determine. Do you have my objection to Major Thomas departing from the schedule of witnesses?

BOLTON: No, no I haven't, if the Defence Officer deems it necessary.

PRESIDENT: Oh, very well, very well.

THOMAS: Call Lieutenant Morant.

V/O: Lieutenant Morant.

MORANT takes the stand.

THOMAS: Lieutenant Morant, would you state your military service?

MORANT: I hold, or held, a Commission in the now defund Bushveldt Carbineers. Prior to this I was with the South Australian Second Contingent. Before that I was carrying despatches for the Flying Column under Colonel Lowe. I was in the general advance to Bloemfontein and took part in the engagements at Karee Siding and Kroonstadt. I was also working with a war correspondent for the London Daily Telegraph.

THOMAS: Haven't you left something out?

MORANT: I don't think so.

THOMAS: Were you pot along with Lieutenants Handcock and Witton, called upon to help defend this Garrison last night? You, yourself, being placed in charge of a wing...the way you acted last night was superb...

PRESIDENT: The matter you are putting to the Court has no bearing on the charges of the defendants.

THOMAS: But I believe...

PRESIDENT: Major Thomas, we all had a trying night last night...

WITTON: Some more than others...

PRESIDENT: The defendants were called upon to do their duty, no more.

THOMAS: But Mr President I believe the characters of the defendants are very much on trial here. [Picks up book] The Duke of Wellington stated "the performance of a duty of honour and trust after knowledge of a military offence ought to convey a pardon. Surely...

PRESIDENT: What has a statement by the Duke of Wellington to do with the law - I will tolerate no further mention of last night's events in this Court.

THOMAS: Do you mean to say...

MORANT: Forget it, Major, you're wasting your time.

THOMAS: In a statement issued to this Court you mention Captain Hunt was a personal friend of yours?

MORANT: My best friend.

THOMAS: Then it must have come as a great shock to see his body cut up as it was?

MORANT: It did.

THOMAS: It has been stated by several witnesses that you were gloomy, depressed, and in a state of emotional shock alter Captain Hunt's death, is that true?

MORANT: I - yes.

THOMAS: It was even said your mind was unhinged.

MORANT: I wouldn't go that far - I'm sane, if that's what you mean.

PRESIDENT: What are you suggesting, Major?

THOMAS: I am suggesting that the defendant was not in control of himself at the time of the offence - that he cannot be held responsible for his action.

MORANT: Look, Major...

THOMAS: No, you look, Lieutenant Morant... did you shoot or have shot prisoners prior to Captain Hunt's death?

MORANT: No.

THOMAS: You disobeyed orders, then?

MORANT: Yes, I did... but...

THOMAS: [Sternly] That will be all.

THOMAS sits. He is clearly frustrated.

PRESIDENT: Major Bolton.

BOLTON rises.

BOLTON: Lieutenant Morant, you say that Captain Hunt gave orders to shoot prisoners?

MORANT: Yes.

BOLTON: A very strong order, I would say. Didn't you question it?

MORANT: I did, but Captain Hunt said the orders came direct from Headquarters in Pretoria.

BOLTON: And you accepted that?!

MORANT: Yes, I had no reason to disbelieve him. In fact, he told me when he took two polo ponies to Lord Kitchener's quarters that Colonel Hamilton had also said no prisoners.

PRESIDENT: Are you suggesting that Lord Kitchener and Colonel Hamilton said take no prisoners?

MORANT: I'm bloody well saying it!

PRESIDENT: We've only got your word for that.

MORANT: Well, get Kitchener here!

BOLTON: Have you had any legal training?

MORANT: No, but I have read the Manual of Military Law.

BOLTON: And I've read the Practical Home Physician, but that doesn't make me an authority on medicine.

MORANT loses his temper.

MORANT: Look, Major, I expected a straight shot from you. But, if that's the way you want to play it, let's get this over with!

BOLTON: Were your courts martial constructed like this?!

MORANT looks BOLTON in the eye.

PRESIDENT: Answer the question. Were your courts martial constituted as this one is?

MORANT: Were they like this? No, they weren't quite so handsome. We were out fighting Boers in the bush on the Veldt - not sitting comfortably behind barbed wire. We got them and shot them under rule 303. You heard of that rule, or have you spent all your soldering behind a desk!

PRESIDENT: Your aggressive manner will get you nowhere.

MORANT: Then get Kitchener. Get Kitchener here!

PRESIDENT: Restrain yourself Lieutenant.

MORANT stands.

MORANT: I've restrained myself long enough.

THOMAS: Sit down Harry.

MORANT has lost it and walks over to the PRESIDENT.

MORANT: I'm sick and tired of playing it your way. Let's shoot down the middle for a change. We, the Carbineers, were put out into one of the wildest parts of South Africa for one reason, to kill the enemy the way they had been killing us. Because your traditional military ways of warfare were not working. It was irregulars fighting irregulars. Like last night. But now the war is near an end, and we have all but won. The politics begin. You want to disown us, to forget we ever existed, we have become an embarrassment, well that's alright, but at least be honest about it!

PRESIDENT: Sit down, Lieutenant.

MORANT: And let us set the records straight. I was the Commanding Officer after Simon Hunt's death not Peter Handcock, not George Witton but I and I take the blame. But in turn those above me should take it too. Who was the first to order 'Shoot prisoners'? I wasn't, Simon Hunt wasn't, who was? That is what I demand to know and am entitled to know! [Loses control, thumps table] Get Kitchener here!

HANDCOCK: Yes, here!

PRESIDENT: Order! I must remind you that you are still wearing the King's uniform. These outbursts are a disgrace to it...

MORANT, HANDCOCK, WITTON, THOMAS

MORANT: Silence, silence. Now how about this one.

There was a young student of Johns,
Who wanted to bugger the swans
But the loyal hall porter
Said Sir, take my daughter,
Them birds are reserved for the Dons'.

HANDCOCK: Hey, I've got a better one than that!

There was a young man from Australia
Who painted his ass like a dahlia
The colour was fine
Likewise, the design
The aroma my friend was a failia.

MORANT: After that I think we should have something more, well, tasteful.

HANDCOCK: That was tasteful.

MORANT: Tasteful. Now what about a bit of Byron.

WITTON: Sick of the limericks, Harry?

MORANT: No. I just feel a bit of Byron is in order.

When a man hath no freedom to fight for at home,
Let him combat for that of his neighbours
Let him think of the glories of Greece and of Rome.
And get knocked on the head for his labours,
To do good to mankind is the chivalrous plan,
And is always as nobly requited;
Then battle for freedom wherever you can
And, if not shot or hanged, you'll get knighted.

HANDCOCK: That's too bloody deep for me. Come on, Harry, give us some more of that other stuff...

MORANT: Here's one the likes of you will enjoy but first fill up my glass. My God, this stuff has gone to my head.

WITTON: Another nip?

MORANT: Of course. Let me think, ah - the only Empire I'll acknowledge is where, At a quarter to eight they open the doors, And the promenade's flooded with London's whores.

THOMAS enters.

God save Oireland. Just in time we've got quite a party going. Sit down. Give the Major a drink.

WITTON: A drink for the Major. Harry's just giving us one of his - ah, famous recitals.

HANDCOCK: How about one of your own literal works for the Major?

MORANT: Literal works!

WITTON: Station songs...

MORANT: Station songs and droving ditties
Strung together on the track,
Far away from coastal cities.

HANDCOCK: Ah, something less tame, Harry.

WITTON: Shut up. Peter.

MORANT: In the droving days - outback
Some on distant water courses
Neath the blazing Northern sun
When returning with the horses
To the far north-western run;
Some were fashioned in the glooming
While the morrows damper cooked;
Some were penned by rivers roaming
Where the wily fish was hooked.
Ere the midday quart was ready
And an hour was slow to pass
Whilst the nags were feeding steady
On the ripening Mitchell grass.

The silence hangs in the air.

THOMAS: Is that one of your own?

MORANT: From another lifetime ago. Before my misdeeds caught up with me. More champagne. I almost forgot, we had an orderly here a while ago, Jim, who said it came from Headquarters we were home and hosed. They've found us not guilty on the Hesse charge, do you think that's right?

THOMAS: I just came to tell you. That's official.

WITTON: Well, let's celebrate.

HANDCOCK: Well, yer, let's celebrate.

Laughter. They fill their glasses and congratulate each other.

MORANT: Tell me, do you think we could have a chance to be home for the Melbourne Cup?

THOMAS: Maybe the year after next.

MORANT: How do you think the Kaiser will take the news when his Uncle Teddy writes him?

HANDCOCK: He'll probably have another battleship built.

MORANT: Do you know this champagne came from the Officers Mess?

THOMAS: I heard.

MORANT: What better sign could we get. Here's just a short toast.
To the Major who saved our days,
From a Whitehall roast.
But the question now is, who pays?

HANDCOCK: Who cares?

THOMAS: I don't want to be a wet blanket but you fellows could yet spend a couple of years behind bars - they have found you guilty of the first two charges. But it is not as bad as it seems, the Court has requested a recommendation to mercy on these charges. We will appeal. Who knows? Maybe only twelve months. The main thing is, they didn't find you guilty on the Hesse case.

MORANT: Yes, they've left the doors open, haven't they! There are no guards outside yes, Jim, live every day like it's going to be your last for one day you're sure to be right. [Toasts] To the Major.

WITTON: To the Major.

MORANT: I'll give you another one... now then
The night's a trifle chilly, and the stars are very bright,
A heavy dew is falling, but the tent is rigged alright:

HANDCOCK and WITTON lie down. MORANT puts his head down on table. Lights fade to BLACKOUT.

You may rest your bones till morning, then it you chance to wake,
Give me a call about the time that daylight starts to break