

No. F-50053., Sapper Devine, W., No. 1 Canadian Tunnelling Coy., R. C. E., C. A. S. F. being duly sworn is examined by the Prosecutor.

Q. 1. "Sapper Devine, you were on guard on Friday afternoon on the 6 December 1940?"

A. 1. "Yes."

Q. 2. "What hours were you on guard?"

A. 2. "From 3 p. m. to 5 p.m."

Q. 3. "At what duty gate were you on guard?"

A. 3. "Transport gate."

Q. 4. "How far is that from the petrol stores?"

A. 4. "I cannot quite say, Sir."

Q. 5. "Is it close to the petrol stores?"

A. 5. "Yes."

Q. 6. "While you were on duty did you see Sapper Fell enter the petrol stores?"

A. 6. "Yes."

Q. 7. "Do you know Sapper Fell?"

A. 7. "Yes."

Q. 8. "Was he carrying anything?"

A. 8. "No, Sir."

Q. 9. "Was he carrying anything when he went into or came out of the petrol stores?"

A. 9. "No, Sir."

Q. 10. "Have you any observations to make?"

A. 10. "No, Sir."

Q. 11. "Did he appear normal?"

A. 11. "Yes."

Q. 12. "Did you notice anything out of the way?"

A. 12. "No."

The Defending Officer then cross-examines the Witness.

Q. 1. "You were on guard at the upper gate and said that this gate is very near the upper store house, and were you not asked to arrest Sapper Fell?"

A. 1. "No, Sir, he just went by."

MC