

SIXTH WITNESS

Major C. Fraser, Officer Commanding, No. 1 Canadian Road Construction Company, Royal Canadian Engineers an Officer of the Canadian Army Overseas, having been duly sworn, States:-

" I am Major C. Fraser, Officer Commanding No. 1 Canadian Road Construction Company, Royal Canadian Engineers. On 18th of Nov. at approximately 1830 hours, Sergeant MacKay brought me a can labelled "Sausage". I marked this can with my initials and I now recognize as the can marked Exhibit "A".

The accused declines to question the witness.

*C. Fraser*

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Major C. Fraser of No. 1 Canadian Road Construction Company, R.C.E.

FIRST WITNESS FOR THE DEFENCE.

F-51762, Sapper Mayfield, E.G. of No. 1 Canadian Road Construction Company, Royal Canadian Engineers, a soldier of the Canadian Army Overseas, being duly sworn states:-

" I am F-51762 Sapper Mayfield, E.G. On the morning of 18 Nov.44. I was driver in charge of the Garbage Dumpster I was loaded and ready to move off when the accused, who was bringing up a box of empty cans shouted to me to wait. He passed the box up to me and I emptied it into the dumpster. A can rolled out and struck my foot. I realized it was full and picked it up and passed it to the accused, who examined it and laid it on top of a slab of concrete which was leaning against the wall. It was a can similar to Exhibit "A" here but was covered with dirt."

The accused declines to question the witness.

*F. Mayfield*

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F-51762 Sapper Mayfield, E.G. of No. 1 Canadian Road Construction Coy., R.C.E.

THE ACCUSED WAS CAUTIONED AS FOLLOWS:-

- Q. Do you wish to make any statement or to give evidence on oath? You are not obliged to say anything or give evidence unless you wish to do so, but, whatever you say or any evidence you give will be taken down in writing and may be given in evidence.
- A. I want to make a statement.
- Q. On oath or not on oath?
- A. On oath.