

Summary of evidence in the case of No. E/83098
Spr. Fell, J.F., No.1 Canadian Tunnelling Company.

The accused did not require that the evidence be taken on oath.

First Witness F/50053, Sapper Devine, W. No.1.
Canadian Tunnelling Company, states as follows:- (not sworn)

"I was on guard on Friday afternoon, 6 Dec. 40 from 1500 hrs. to 1700 hrs. I was on sentry duty on the transport gate and at approximately 1545 hrs. I saw Sapper Fell, whom I know by sight, enter the gate where I was on duty. About 20 minutes later he came back and passed through the gate. He was not carrying any petrol can when he passed me both times. He did not appear drunk. He spoke to me in passing. I did not see him speak to a civilian in a car while I was on guard."

The accused declines to cross examine this witness.

Signed, *W. Devine*
F/50053, Spr. Devine, W.
No.1 Canadian Tunnelling Coy.,
R.C.E., C.A.S.F.

swath