

A. Yes, Sir.

Q. Yet you state that after a search when you came back into the public house you only found nine shillings. D.W.

A. Yes, Sir.

Q. Can you assist the court in accounting for the other 11 shillings?

A. The man was very thoroughly searched but the 10s note was not in evidence.

Q. Tracing the steps again from the court yard where you and Sgt. Penn heard some remarks that took place when the transaction occurred, what time elapsed from the completing of the transaction to the time the accused was back in the pub?

A. We approached Mr. Moody, relieved him of the revolver and spoke a few words to him. I would say about 1½ to 2 minutes that Pte. Simon was out of our sight.

Q. What sort of weather was it?

A. A very, very dark night. It was impossible to see more than 25 yards. I did not see the revolver change hands.

Q. Did anyone else enter or leave the pub?

A. No one left the pub and no one entered the pub until after he was arrested.

Q. But you cannot actually tell us anything that would assist the court in deciding what became of the paper money.

A. No, Sir.

Witness is cross examined by the defending officer.

Q. You say that it was an exceptionally dark night.

A. Yes, Sir.

Q. You were approximately how many feet from the parties involved?

A. About 25 feet.

Q. It was an exceptionally dark night?

A. Yes, Sir.

Q. You did not see any transaction take place?

A. No, Sir.

Q. When you were speaking to Mr. Moody he showed you a certain sum of marked money, of which 10s was a note and 10s was in marked silver.

A. Yes, Sir.

Q. When you searched the accused at some later period in the evening you found approximately nine shillings.