

FIFTH WITNESS FOR THE PROSECUTION (Continued)

- Q. Would you definitely know from the gait, the way he was going, the way he was going, that he was drunk?
- A. You could tell he was under the weather.
- Q. How was the light?
- A. It was pretty light, as it was light those evenings.
- Q. What were the actions of Foster from which you drew the conclusion that he was under the influence of liquor?
- A. Just what I said, from the way he walked.
- Q. Was it different from the way he usually walked?
- A. Definitely.
- Q. What was different?
- A. He was stepping along swinging his arms.
- Q. He was stepping along swinging his arms?
- A. Yes sir.
- Q. He wasn't staggering sufficientlt so that you didn't recognize his walk?
- A. Yes sir.
- Q. He was walking towards the kitchen, and the next time you saw him he was in bed. Did you attempt to awaken him?
- A. No sir.
- Q. You didn't attempt to awaken him?
- A. No sir.
- Q. Was there anyone else there?
- A. Gnr. Mundle was just coming out.
- Q. After Gnr. Mundle came out you went in to the billets, you looked at him, was he asleep?
- A. Yes sir.
- Q. Did you attempt to awaken him?
- A. No sir.
- Q. In the ordinary course of your guard duties what is your duty to the next man following?
- A. To awaken him to let him know when it is time to let him go on guard.
- Q. In giving your statement at first you mention that Gnr. Foster wasn't capable of doing his duty. Are you the one to judge?
- A. No sir.