

Fifth
Witness.

C. 36633 Sgt. M^cMullan, C.E. 4th Alder Unit
Dir. O. & T. Co. R.O.C. Swans, States:-

"On night of yr 23 Oct 44. I was Orderly Sgt. My tour of duty was from reveille to reveille. It was my duty to be up all night. (Witness identifies the accused). I did not see the accused at any time during the night of yr 23 Oct. I toured the grounds with S/Sgt Le Zewre while he was looking for the accused. The only time I alone made any checks was on the tea parade from 2000-2030h. The accused was not on that parade. I heard S/Sgt Le Zewre calling for the accused. - he shouted loud enough that his voice would carry through any of the billets."

Cr. Ex

The Orderly Sgt. acts as guard commander. I did not have a list of guard details. I was not given definite instructions on that. I did not issue any orders as to parades or duties to the accused. The tea parade is voluntary. I remained there till it was finished. I was instructed to put the accused under open arrest as soon as he came in. I found the accused in bed asleep at 0100 hrs. I requested him to be brought in by the guard. I checked the accused's quarters and they had