

JA: When was your diary made up?
Witness: I keep a regular diary, sir.

JA: Where is this diary?
Witness: In my room.

JA: How long would it take you to get it?
Witness: About four minutes.

President: Does the witness have to refer to these notes?

Def Offr: No, except that I thought it would indicate - establish to some extent that he did have this diary and that he has notations in the diary in connection about this other thing.

President: I think the Court will adjourn while you get your diary.

At 1517 hours, the Court is adjourned.

At 1520 hours, the Court is re-opened, pursuant to adjournment, present the same Members and Judge Advocate, as upon adjournment.

The witness, Captain Fassina takes the stand.

The Defending Officer continues with the examination of the witness:

Q.383 Captain Fassina, you have in your hand a book in which you have some notations. What is that?
A.383 This is my personal daily diary.

Q.384 And have you anything in it around the Twenty-Fifth or Twenty-Sixth or Twenty-Seventh of February in connection with the accused, Captain Jessop?

President: Might I ask, was this diary made up every day?

Witness: Pretty well every day, yes sir. All the entries are daily entries.

President: And you are using this to refresh your memory concerning certain dates?

Witness: Yes sir.

President: Are you prepared to say as far as you know, that any information you put in that diary concerning those dates was put in on the dates in question?

Witness: Yes sir. I have two reasons for making entries here with regards to the accused. I was supposed to go away with him on a weekend when he was ill. We had planned to go away together.

President: I just wanted to know whether it is something that was made up at the time or since that time.

The Defending Officer continues with the examination of the witness:

Q.385 Now, have you, say on the Twenty-Sixth of February, have you any reference to the accused?
A.385 Yes, I have one entry.

Q.386 What does it say?
A.386 Do you want me to read the whole extract of the Twenty-Sixth?

Q.387 No, just the part with reference to this accused.
A.387 Twenty-Sixth - visited Jessop today. He has the fling those damn scabies are bothering again.

Q.388 He had scabies at the same time, did he?
A.388 Yes.

Q.389 Is there any further reference to the accused on that day?
A.389 Doubt whether Jessop stays in bed. Gave him some APCs. Had no fever.