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Directorate of History
National Defence Headquarters
Ottawa, Canada
K1A 0K2

July 1986

D E C L A S S I F I E D

Authority: DHD 3-3

by One for DHist NDHQ
Date: 7 AUG 1986

R E P O R T N O . 80

HISTORICAL OFFICER

CANADIAN MILITARY HEADQUARTERS

17 Aug 42

Work of Canadian Tunnelling Units at
GIBRALTAR, 1940 - 1942.

1. This Report deals with the work upon the defences of the Fortress of GIBRALTAR which Tunnelling units of the ROYAL CANADIAN ENGINEERS have been prosecuting from 1940 to the present time.

2. This is a topic which is certain to have considerable interest for the Official Historian. The writer has therefore taken the opportunity presented by the return of Major-General C.S.L. HERTZBERG, M.C., Chief Engineer, First Canadian Army, from a visit to GIBRALTAR, to compile a summary of this subject.

3. On 10 Jul 42 General HERTZBERG kindly gave the writer the opportunity of interviewing him at H.Q., First Cdn. Army, and in this interview gave him a general description of the situation at GIBRALTAR and the work of the Canadians there. The Chief Engineer had returned only about three days before from his visit to the fortress, which had lasted four days. He travelled to GIBRALTAR and back by flying-boat.

4. On the same date the writer had a considerable conversation with Lieut.-Col. C.A. CAMPBELL, R.C.E., until recently O.C. 1 Cdn Spec Tun Coy and now C.R.C.E., 2 Cdn Corps Troops. Colonel Campbell had visited GIBRALTAR with General Hertzberg, but was kept two days at PLYMOUTH waiting for transport after the General's departure, and so had only two days at GIBRALTAR. He had, however, made a more extended visit earlier (see below).

GENERAL ACTIVITY OF CANADIAN TUNNELERS

5. No units of comparable size are likely to have greater interest for the Canadian Official Historian of this war than the Tunnelling Companies. 1 Cdn Spec Tun Coy has engaged, and is still engaging, in a great variety of important activities. Some of these are briefly noted in Report No. 30, which deals at length with one of the unit's special tasks, the work on the LOCH LAGGAN tunnel. At the present time, in addition to still maintaining a detachment at GIBRALTAR and undertaking various special military tasks, the Company has detachments working at various points in the British Isles from the SHETLANDS to CORNWALL exploring and developing deposits of strategic minerals.

6. 2 Cdn Tun Coy, as explained below, was formed with a view to (in the first instance, at least) service at GIBRALTAR, and all its service has, in fact, been at that station, where at the present time it still remains.

Copied in Hist. Sec. Aug 43 Ottawa

DESPATCH OF TUNNELLING DETACHMENT TO

1940

7. General Hertzberg told the writer that no real tunnelling programme had been undertaken at GIBRALTAR during the period following the last war, and that the extent of the tunnels then existing was exaggerated in the public mind. The consequence was that in the new conditions created in the Mediterranean area by the collapse of France in June of 1940 action had to be taken at short notice to repair the deficiencies resulting from the inaction of earlier years.

8. The general situation at GIBRALTAR is described by an anonymous but evidently well-informed writer in War (Army Bureau of Current Affairs), No. 22, 11 Jul 42, as follows (article entitled "Life on the Rock"):

The soldier arriving at GIBRALTAR in the spring of 1940 soon realised that the expression "as strong as the Rock of Gibraltar" meant little at that time. There were certainly extensive civilian air-raid shelters tunneled into the rock, but for years before the war practically nothing had been done to improve the defences of the fortress.

The collapse of France and the entry of Italy into the war soon put the Mediterranean on the map, and there was a feverish rush to reinforce the garrison and make some rapid improvisation to build up the defences so that an assault by land could be met. The Army was very quickly reinforced and the decks were cleared for action.

The evacuation of the civilian population is described, and the writer then proceeds:

All this time the defence work was going on and increasing rapidly as stores and men arrived from Britain. The racecourse at North Front, which had been used right up to the 1940 Spring Meeting, became an aerodrome, and every house and building which was of any use was converted into quarters for troops.

The exterior defences were given first priority and in the early autumn, when some sort of perimeter defences had been constructed, men were brought from England and Canada to extend the galleries, which had hardly been touched since the original tunnels were bored.

With regard to the defences there were always two problems - to be able to turn over to siege conditions at a moment's notice and also to plan a long-term policy, which aimed at bomb-proof accommodation for all the troops and for stores, hospitals and workshops, which would enable the garrison to withstand a siege of almost any length. And so there was a continual change of plan. To-day a gallery might be used as headquarters of the Administration Staff. In a month's time it would be turned over for use as a hospital because in the meantime the stores in another gallery had been moved and that gallery could then be used as offices for the staff.

9. This extract serves to provide a general background for the narrative of Canadian activities presented below.

10. On 23 Oct 40, the High Commissioner for Canada received the following communication from the Dominions Office (copy on C.M.H.Q. file 6/1 TUN/2 - "Despatch of Portion No. 1 Tunnelling Co.":

Transcript

SECRET and IMMEDIATE.

DOMINIONS OFFICE,
DOWNING STREET, S.W.1.

23rd October, 1940.

My dear High Commissioner,

I understand that trained tunnelling personnel are urgently required in Gibraltar in connection with work on the defences there. A tunnelling company was included in the Canadian corps troops which were sent to this country, and the Army Council have enquired whether the Canadian Government would agree to a portion of this company being despatched to Gibraltar. As it is desired that the troops should if possible sail in the very near future in view of the urgency of the situation at Gibraltar, it is hoped that it will be possible for a decision to be reached immediately.

It would be of the very greatest assistance if the Canadian Government could agree to the Canadian troops being made available and I should be very grateful if you would ascertain the views of the Canadian Government as a matter of urgency. It is suggested that, if the proposal is approved in principle, the detailed arrangements should be made between the War Office and the Canadian Military authorities here.

Yours sincerely,

(sgd) CRANBORNE

The Honourable Vincent Massey.

11. On the same day Mr. MASSEY cabled the substance of this proposal to the Department of External Affairs at OTTAWA (Tel. No. 1787); and the following day he despatched a further cable (Tel. No. 1792) advising that General McNAUGHTON had discussed the matter with the War Office and recommended concurrence. This crossed a cable from N.D.H.Q. (DEFENSOR to CANMILITRY, Most Immediate, 24 Oct 40) asking General McNaughton's views. On 25 Oct the Department of External Affairs despatched the following cable to the High Commissioner's Office (EXTERNAL to DOMINION, Tel. No. 1679, Immediate):

MOST SECRET. Reference your 1787 and 1792. Canadian Government approves of despatch of portion of Canadian tunnelling Company to Gibraltar. Details to be arranged between War Office and Canadian Military authorities in England.

12. The decision was thus reached with the greatest despatch, as so urgently requested by the War Office. It will be noted that, in the interests of speed, no attempt was made to define the respective financial responsibilities of the two countries for the detachment. This manner of proceeding contributed to the production of an unfortunate controversy at a later time (see below).

13. The decision once taken, no time was lost in implementing it. It was resolved that the "Special Detachment" to be sent should consist of 4 officers and 100 other ranks (nominal rolls on file 6/1 TUN/2) and that in addition the O.C. 1 Cdn Tun Coy (Major Campbell) and one other officer (Captain Perry HALL) would accompany the Detachment to GIBRALTAR and

see it installed before returning to England.

14. The Special Detachment went on a Part II Order basis as of 11 Nov. 40. On 15 Nov it sailed from GLASGOW on H.M.T. "Franconia", and arrived at GIBRALTAR on 21 Nov, but did not land until 26 Nov. It seems to have undertaken its first small job on 2 Dec 40, and diamond drill work began on 3 Dec. On 22 Dec., having acquired its own cookhouse and being able to provide meals on a 24-hour basis, it began to work three shifts. By this time Major Campbell and Captain Hall had returned to England, sailing on H.M.S. "Manchester" on 8 Dec. A/Captain D. TAYLOR was now in command. (War Diary of Special Detachment, 1 Tun Coy, R.C.E., November and December, 1940).

FORMATION AND DESPATCH OF NO. 2 TUNNELLING COMPANY, R.C.E.

15. The British authorities were evidently pleased with the performance of this Detachment, for on 27 Dec 40 Lord CRANBORNE again wrote to Mr. Massey, informing him that the Army Council had now inquired whether the Canadian Government "would authorise the move of the remainder of the company to Gibraltar", and asking him to take the question up with his Government "as a matter of urgency". It is a rather peculiar fact that on 26 Dec 40 the War Office had actually despatched a mobilization telegram (79/Mob/4269/10 (A.G. 5. (Mob)) instructing "1 Canadian Tunnelling Coy. (less det overseas)" (along with certain British units, including 170 Tunnelling Coy, R.E.) to mobilize for service overseas (tropical climate) by 0001 hrs on 12 Jan 41. (Documents on C.M.H.Q. file 6/1 TUN/2).

16. On this request being referred to General McNaughton, he decided that the best means of complying with it, in view of the fact that one Tunnelling Company would always be required as Corps Troops with the main body of the Canadian Army Overseas, would be the organization of an additional Company. This unit would absorb a proportion of the personnel of the detachment of 1 Cdn Tun Coy already at GIBRALTAR, the remainder of the men required being found from among those possessing the requisite experience and trade qualifications on the strength of other Canadian units in the United Kingdom. After discussing the matter with General McNaughton and Major Campbell, as well as with the C.G.S. (General CRERAR) who like the Minister himself was at the time in England, the Minister of National Defence (Hon. J.L. RALSTON) communicated with OTTAWA (Tel. MIN. 30, CANNILITRY to IMMEDIATE DEFENSOR, 28 Dec 40) recommending the proposal of General McNaughton and saying in part,

Am convinced of utility and importance of job being done and of the special competence our personnel not only to do the work but to help train British units in these hard rock operations. I think it is a distinctly Canadian contribution with importance much beyond number of men and quantity equipment employed.

17. On 3 Jan 41 the Department of External Affairs informed the High Commissioner's Office (Tel. No. 27, EXTERNAL to DOMINION) that the War Committee of the Cabinet had approved the project.

18. Provisional orders for the organization of No. 2 Tunnelling Company, R.C.E., had already been issued by H.Q. Cdn Corps (28 Dec 40) and the work was in progress. A first nucleus of men was found from 2 Cdn Div R.C.E., whence came also the Commanding Officer, Major C.B. NORTH, D.S.O., M.C. With the aid of H.Q. 1 Cdn Tun Coy, organization proceeded, at MICKLEHAM, the station of 1 Cdn Tun Coy, until on 20 Jan 41, men from a number of units having been absorbed, strength was 7 officers and 167 other ranks. "These figures with the 2 officers and 51 O.Rs. at Gibraltar make up our full establishment." (War Diary 2 Cdn Tun

Coy, Jan, 1941). On 26 Jan the unit moved to ESHER, where it remained throughout the following month. (This paragraph based on C.M.H.Q. file 6/2 TUN/1 ("Org. & Admin. No. 2 Tunnelling Coy.") and on unit War Diary.)

19. On 3 Mar 41 the unit embarked at LIVERPOOL, evidently on H.M.T. "Strathmore" (War Diary of Special Detachment 1 Cdn Tun Coy, 10 Mar 41), and it arrived and landed at GIBRALTAR on 10 Mar. It proceeded to absorb two officers and 51 other ranks of the Special Detachment of 1 Cdn Tun Coy as arranged (above, paras. 16 and 18), a process which was apparently not carried out wholly without friction, as indicated by reference made to a speech of Captain V.E.C. ODLUM, Second-in-Command of 2 Cdn Tun Coy, in the War Diary of the Special Detachment:

To quote Capt. Odlum's speech he said amongst other things, equally discouraging, "The Field Day is Over, It is now time for us all to go to work". This statement was received by all ranks with the contempt it deserved.

(11 Mar 41).

As the officers and men of the Special Detachment were conscious of having worked hard since their arrival at GIBRALTAR nearly four months before, and believed that they had given satisfaction to the British authorities, they felt that these remarks were less than their due.

20. Although about half the Special Detachment of 1 Cdn Tun Coy was thus absorbed into 2 Cdn Tun Coy, and a further group commanded by Lieut. DeMOREST was now returned to England, sailing on 12 Mar 41 (War Diary of Special Detachment, 1 Cdn Tun Coy), the small residue, commanded by Lieut. J.B. KIRK, continued to exist as a separate Special Detachment of 1 Cdn Tun Coy at GIBRALTAR, though under the command of O.C. 2 Cdn Tun Coy. This Special Detachment was composed of diamond drillers. The Detachment's War Diary (1) indicates that Lieut. Kirk felt that during the months that followed his men were given little really worthwhile work to do. When news arrived that the Detachment was to be sent back to England, he wrote, "It is certainly time. We've just been wasting time here for the last 5 months" (6 Sep 41). The attenuated Special Detachment embarked on the cruiser "Sheffield" on 1 Oct 41 and disembarked in the CLYDE on 6 Oct.

DESPATCH OF SECOND SPECIAL DETACHMENT OF NO. 1
TUNNELLING COMPANY, R.C.E.

21. Not long after the return of the first Special Detachment of 1 Cdn Tun Coy to England, on 19 Dec 41, the War Office (Engineer-in-Chief's Department) addressed to the Senior Officer, C.M.H.Q., a request (E(Ops) B.M. No. 63) for further assistance, in these terms:

I am directed to inform you that a project is being undertaken at GIBRALTAR which involves a large amount of quarrying.

2. It is understood that the Canadian Tunnelling Company has 3 Diamond Rock Drills, which would be of the greatest assistance in this work, and also personnel (1 officer and 25 O.Rs) experienced in working them.

3. It would be appreciated if this plant and the personnel could be made available. The date of sailing from this country is not yet known. The work would take about 6 months.

22. Authority to despatch the detachment requested was sought by C.M.H.Q. from Ottawa, in Tel. GS 2966, CANMILITRY to DEFENSOR, 20 Dec 41, and was received in Tel. GS 371, DEFENSOR to IMMEDIATE CANMILITRY, 30 Dec 41. Formal approval for the formation of a new Special Detachment of 1 Cdn Tun Coy was granted in C.M.H.Q. Administrative Order No. 6 (6 Jan 42) which fixed the strength of the Detachment at one officer (Lieut. H.G. DeMOREST) and 25 other ranks.

23. The opportunity was taken at the same time of despatching a reinforcement party (two officers and 20 other ranks) for 2 Cdn Tun Coy, which had fallen below strength. Both the new Special Detachment of 1 Cdn Tun Coy and the reinforcements for 2 Cdn Tun Coy embarked at GOUROCK on 28 Jan 42 (though not on the same ship) and arrived at GIBRALTAR on 4 Feb (War Diary of Reinforcements, 2 Tun Coy, no Diary for Special Detachment yet received).

24. The situation at this date, accordingly, is that Canada is represented at GIBRALTAR by 2 Cdn Tun Coy and a Special Detachment of 1 Cdn Tun Coy. The latter is not under command of O.C. 2 Cdn Tun Coy. "They are attached to us only for pay" (War Diary, 2 Cdn Tun Coy, 5 Feb 42). O.C. Special Detachment has the powers of a Detachment Commander (Administrative Order No. 6, para. 22, above). The Detachment has been increased by one officer (Lieut. J.D. WHITTAKER) who has been loaned to the War Office for special work. (C.M.H.Q. file 6/1 TUN/2). Before his departure for GIBRALTAR, Lieut. DeMorest, O.C. Special Detachment, was granted the acting rank of Captain.

25. While the Canadian units at GIBRALTAR are under British operational control, for other purposes they are under command of Canadian Military Headquarters, LONDON. This was effected by C.M.H.Q. Administrative Order No. 31 of 13 Jan 41 (file 6/2 TUN/1).

26. Records of A.G. (Statistics), C.M.H.Q., indicate the strength of these units as follows (as of 10 Jul 42):

	Officers	O.R.
Spec. Det. 1 Cdn Tun Coy	1	25
2 Cdn Tun Coy	11	211

Normal strength of 2 Cdn Tun Coy in officers is 8, plus one reinforcement officer. Unusually large number here shown is the result of the fact that Major North, O.C., and Capt. Odlum had been relieved for return to England, but had not yet left GIBRALTAR (information from Lt.-Col. Campbell). Major North is returning as the result of illness, and Captain Odlum to take up an appointment in England. Major North has been replaced as O.C. by Major J.G. TATHAM, who was sent from England for the purpose.

27. The figures for the Special Detachment appear to take no account of the presence of Lieut. Whittaker (para. 24, above). Arrangements for this officer's despatch were made in May, 1942.

FINANCIAL ARRANGEMENTS

28. Some note must be taken of the financial conditions under which these Canadian units have been made available to the War Office.

29. As remarked above (para. 12) the arrangements for despatch of the original Special Detachment in 1940 were, at the request of the British authorities, made very rapidly, and details were left to be worked out later. The general principle which C.M.H.Q. considered should govern in the matter was that "the

British Government should be responsible for all expenses over and above what would have been incurred, had the Cdn Tunnelling Company been employed with the Cdn Corps" (Brigadier MURCHIE to High Commissioner for Canada, 19 May 41). In accordance with this general idea, it was suggested through the High Commissioner on 31 Oct 40 (Tel. No. 1833, MASSEY to EXTERNAL) that "rations, fuel, clothing, pay, pensions and personal equipment" for the detachment should be a Canadian responsibility, but "Any medical arrangements required, and cost of transportation to be responsibility of United Kingdom Government". Expendable stores such as diamonds for drills should be supplied at United Kingdom expense, and the British authorities should also provide pneumatic equipment, and adequate transport at GIBRALTAR.

30. An answer to this communication was delayed, and while it was awaited C.M.H.Q. did not raise the matter with the War Office. It was therefore with some surprise that C.M.H.Q. received a copy of a cipher telegram despatched from the War Office to the Governor and C.-in-C., GIBRALTAR, on 21 Nov 40, beginning, "It should be assumed that the whole cost of the Canadian Tunnelling Company which has been despatched to Gibraltar will be borne by the Canadian Government. You should therefore arrange for a record to be kept of all expenses incurred from Army Funds..." On 11 Dec 40 the High Commissioner received from OTTAWA Telegram No. 1930 (EXTERNAL to DOMINION, 10 Dec) approving the financial arrangements proposed by his No. 1833. On the same date the Senior Officer wrote the War Office outlining these arrangements and requesting that the telegram sent to GIBRALTAR should be amended in accordance with them.

31. On 16 Jan 41 a War Office letter (16/Abroad/1201(F.1)) signed by Mr. G.W. LAMBERT (an Assistant Under Secretary of State for War) was despatched and received in answer to the Senior Officer's communication. This letter stated that the War Office telegram to GIBRALTAR was based "upon the general principle that the Canadian Government have accepted liability for the whole cost of the Canadian Active Service Force", and called attention to the fact that the United Kingdom Government had agreed that no charge should be raised against the Canadian Government in connection with "any United Kingdom units temporarily borrowed by the Canadian Government to complete the Canadian Corps". The letter continued:

3. In these circumstances it is not clear to the Council why it is proposed that the whole cost of the Canadian Tunnelling Company, which forms part of the Canadian Corps, should not be borne by the Canadian Government as is the cost of other Canadian units forming part of the Canadian Corps.

32. General MONTAGUE replied to this letter on 21 Jan 41, agreeing that the cost of medical arrangements for the detachment should properly be a charge against Canada, but maintaining on all other points the attitude previously taken on behalf of the Dominion. Further correspondence caused the War Office to recede from its position only in respect of expendable stores for diamond drills and local transport for the detachment at GIBRALTAR, although even these points it did not regard "as being properly our liability". This left outstanding the question of the cost of transport of the detachment from England to GIBRALTAR (Letter from Mr. F. WHITTLE, War Office, to Mr. PEARSON, Canada House, undated, but apparently of May, 1941).

33. The question of the cost of transportation to GIBRALTAR remained unsettled until 22 Jul 41, when, at a meeting in the office of Sir Frederick BOVENSCHEN, Deputy Under Secretary of State for War, Sir Frederick finally agreed (and subsequently confirmed in writing) that the War Office would pay the cost of trans-

port to GIBRALTAR. He still maintained, however, that the previous attitude of the War Office had been correct in principle, and stipulated that this should be regarded as a special case in no way constituting a precedent.

34. The arrangement thus finally ratified covered both the original Special Detachment of 1 Cdn Tun Coy and 2 Cdn Tun Coy as subsequently despatched. Despite the anxiety of the War Office to prevent its becoming a precedent, this in effect took place when the second Special Detachment of 1 Cdn Tun Coy was despatched. On 20 Dec 41 the Senior Officer, C.M.H.Q., suggested arrangements to the War Office as follows:

The basis suggested is that the Canadian Government should be responsible for all charges that would normally have been incurred had the detachment remained with the Canadian Forces in the U.K., and that the U.K. Government should be responsible for all additional charges involved by the despatch of the detachment:

- (a) The Canadian Government would be responsible for pay, allowances, general maintenance, pensions, and provision of standard unit equipment.
- (b) The United Kingdom Government would be responsible for expendable stores, any special stores that might be required over and above normal unit equipment, local transport at Gibraltar, and transportation to and from Gibraltar.

These arrangements having been approved by N.D.H.Q., the Senior Officer further informed the War Office (1 Jan 42) that OTTAWA had agreed to despatch the detachment subject to the conditions named; and the War Office accepted them without demur (Letter 058/5293 to Senior Officer, C.M.H.Q., 2 Jan 42).

35. The documents relating to the financial negotiations and arrangements described above will be found in C.M.H.Q. file 671 TUN/2.

DISCIPLINARY ARRANGEMENTS

36. A word must also be said concerning arrangements for the enforcement of discipline in this distant and isolated portion of the Canadian Army Overseas. The Canadian units at GIBRALTAR are, of course, under British operational control. They function as part of a "Tunnelling Group" commanded by a British C.R.E. (T) (see below) and in addition are allotted operational roles in the event of siege.

37. In respect of the legal relationship, the original instructions issued to the O.C. 2 Cdn Tun Coy previous to his departure for GIBRALTAR ran in part as follows:

7. Under K.R.(Can) Sec 475, as O.C. the detachment and being of field rank, you will have "the full powers accorded to a commanding officer of a unit."

8. Upon embarkation, you will be acting 'in combination' with the British forces, under authority contained in Canadian Privy Council Order 1066 of 3rd April, 1940. The Commander-in-Chief at Gibraltar will be in command of the combined forces and will have, in respect to the members of the Canadian force serving under his command, all the powers referred to in Section 6 of the Canadian Visiting Forces Act... Under Canadian Privy Council Order 2579 of 14 Jun 40, he will have full powers to convene and confirm Courts Martial and the provisions

of Sec 99 of the Militia Act shall not apply to the carrying into effect of the sentence of any General Court Martial. This information has been conveyed through the War Office to the C. in C. and generally you may safely assume that the C. in C. or anyone acting for him will have full power to do what he purports to do.

(Dated 13 Jan 41 : C.M.H.Q. file 6/2 TUN/1).

38. At this time the question of the legal relationship of the C.-in-C., GIBRALTAR to the Canadian detachment already at that station had been raised, and N.D.H.Q. had advised C.M.H.Q. that it was considered that under the two P.C. orders above referred to the C.-in-C. had full powers, including those of convening and confirming Courts Martial (Tel. A.G.13, DEFENSOR to CANMILITRY, 8 Jan 41). The British authorities, nevertheless, expressed a wish that a Court Martial Warrant might specifically be issued to the C.-in-C., GIBRALTAR, and subsequently Canadian Privy Council Order 547 (24 Jan 41) provided for the issue of such a Warrant to any Officer Commanding British forces serving on the Continent of Europe "with which any of the Military forces of Canada are serving or acting in combination". A Warrant addressed "To the Officer Commanding Each of Those Forces of His Majesty serving on the Continent of Europe with which Canadian Military Forces there serving are acting in Combination", and dated 24 Jan 41, was duly received at C.M.H.Q. in April of that year; and certified copies thereof were furnished the War Office on 3 Apr.

39. The terms of the instructions subsequently cabled by the War Office to the Governor and C.-in-C., GIBRALTAR, may be quoted here as summing up the situation as it existed in April, 1941:

62444 A.G.3.b. cipher 19/4..... am advised that Canadian Government agree that as Commander-in-Chief you are in command of the combined force and with respect to members of the Canadian military forces you have the following powers.

First. Powers of command and punishment as if you were officer of Dominion force of relative rank and holding same command.

Secondly. Similar powers and authority as granted under Army Act for United Kingdom troops to convene General and District courts-martial, confirm findings and sentences thereof, of delegation and carrying sentences into effect. You may appoint (or detail) Canadian or British officers to sit as President or members of such courts-martial.

Section 99 of Canadian Militia Act which required sentences by General Court-Martial to be approved by Canada is waived. Therefore you may confirm sentences by General Court-Martial under Canadian military law to same extent as applies under United Kingdom court-martial warrant to U.K. troops. In any case where you think fit to reserve confirmation for approval of Governor in Council in Canada case should be sent here for transmission through Canadian H.Q. London. Disposal of C.M. proceedings duly confirmed should follow same channels.

40. The situation and procedure thus established have since been materially altered. Following discussions on court-martial procedure held in LONDON during the visit of the Minister of National Defence in the autumn of 1941 (see Report No. 52) a new Canadian Privy Council Order (P.C. 9586) was made in the matter on 11 Dec 41. Under this Order powers relating to convening and confirming courts-martial for the trial of officers and soldiers of the military forces of Canada were concentrated in the hands of "The Senior Combatant Officer of the Canadian Militia, not below the rank of Major-General, serving with the Military Forces of Canada in the United Kingdom or on the continent of Europe" and of "Major-General the Honourable F.J. Montague, C.M.G., D.S.O., M.C., so long as he shall continue to be the Senior Officer at Canadian Military Headquarters in Great Britain". Warrants were issued "to the said Senior Combatant Officer of the Military Forces of Canada and Major-General Montague respectively".

41. Under the terms of the Warrant thus issued to him, Lieutenant-General McNAUGHTON, under date of 1 Jan 42, issued a "Delegated Warrant for Convening General Courts-Martial" addressed to "His Excellency the Governor and Commander-in-Chief, Gibraltar", authorizing the latter to convene courts-martial for the trial of any officer or soldier serving in "any Canadian body, contingent or detachment serving or acting in combination" under his command, in accordance with Canadian military law; and to confirm the proceedings of such courts, and in general to exercise the powers of the Confirming Officer under "the Army Act applicable to the Military Forces of Canada",

Provided always that if by the sentence of any General Court-Martial a Commissioned Officer has been sentenced to suffer death, or penal servitude, or imprisonment with or without hard labour, or cashiering, or dismissal from His Majesty's Service, or a Soldier has been sentenced to suffer death or penal servitude, you shall in such cases, as also in the case of any other General Court-Martial in which you shall think fit so to do, withhold confirmation of the findings and sentence and transmit the proceedings to me or whoever may at the time be the Senior Combatant Officer of the Canadian Militia as aforementioned.

42. It will be noted that this delegated warrant limited the C.-in-C., GIBRALTAR, much more than the warrant of 24 Jan 41, which had permitted reference to Canadian authority, but in no case required it; whereas under the new arrangement the C.-in-C., GIBRALTAR, is required to reserve all serious sentences for confirmation by the Senior Combatant Officer, Canadian Army Overseas.

43. The documents dealing with the legal questions referred to above will be found on C.M.H.Q. file 29/VIS. FORCES/8 ("Visiting Forces - Gibraltar").

44. A Memorandum on the Legal Status of Commanders under the Visiting Forces Acts of the United Kingdom and Canada when their Military Forces are acting in Combination, by Lt.-Col. W.A.I. ANGLIN (A.J.A.G., C.M.H.Q.), 20 Jun 42 (C.M.H.Q. file 29/VIS. FORCES/5/2) notes,

There have... been five Field General Courts-Martial convened by the Governor and Commander-in-Chief at Gibraltar since 7 Nov 41, in four of which punishment was passed on Canadians. U.K. officers sat on these courts.

It should be noted that Field General Courts Martial (which have replaced the earlier District Courts Martial) can be convened and confirmed without a warrant.(1)

45. It should be noted that the change in procedure described above (paras. 40-42) was not the result of dissatisfaction with any actions of the Governor and C.-in-C. at GIBRALTAR, and indeed was merely a by-product of discussion of a larger issue. During the conversations with the Minister of National Defence in LONDON in October, 1941, it was pointed out that under existing regulations, in the event of a Canadian force taking the field on the continent of Europe as part of a British Expeditionary Force, the Commander of the B.E.F. would be provided with a warrant as permitted by P.C. 547 of 24 Jan 41 (above, para. 38). He would then delegate his powers under this warrant direct to the Commanders of Canadian Divisions, etc., without reference to the Senior Canadian Combatant Officer; and sentences of General Courts-Martial might similarly come direct to him for confirmation, "by-passing" the Senior Canadian Combatant Officer, who would thus be "in the awkward position of being responsible to the Canadian Government for the discipline in the Canadian Force without having the complete control of courts-martial and sentences in his own hands" (Memorandum for the Honourable the Minister of National Defence on Warrants for General Courts-Martial in the U.K. and Elsewhere in the Field, 14 Oct 41 : C.M.H.Q. file 20/C.M./5). To obviate this possible future difficulty, the new procedure described above (para. 40) was adopted. (Information from Lt.-Col. Anglin.)

46. It is interesting to note that in the transaction just described Lieutenant-General McNAUGHTON delegated authority to an officer of rank higher than his own (Field-Marshal Lord GORT, then Governor and Commander-in-Chief at GIBRALTAR).

47. The whole question of the legal position of the Canadian Army Overseas under the Visiting Forces Acts is one of great importance and complexity, and only one small corner of it has been dealt with (and only very incompletely) in this Report. It is hoped to deal with the matter more adequately at a later time.

(1) A.J.A.G., C.M.H.Q., has supplied details of these five F.G.Cs.M. In all cases of conviction, confirmation was by the Governor. A.J.A.G. states that the powers conferred on the Governor by Canadian warrant have never been exercised; i.e., there has never been a General Court Martial of a Canadian at GIBRALTAR.

WORK DONE BY THE CANADIAN TUNNELLERS

48. The Canadian Tunnelling Units at GIBRALTAR form part of the "3rd Tunnelling Group, R.E.", commanded by Lt.-Col. D.M. THOMSON, M.C., R.E., as C.R.E. (T). The other units of this group are 170 (T) Coy, 178 (T) Coy, and 180 (T) Coy, R.E. References in Canadian War Diaries indicate that 178 (T) Coy arrived at GIBRALTAR on 30 Aug 40 (Diary of Special Detachment 1 Cdn Tun Coy describes anniversary party, 30 Aug 41). (1)

49. The work done by the Canadian Tunnellers, with the exception of minor jobs chiefly of a diamond drilling nature, has been concentrated in the southern portion of the Rock, adjacent to EUROPA POINT (information from General HERTZBERG, and map of Canadian workings in his possession).

(1) 170 Tunnelling Coy, then evidently in EASTERN COMMAND, was ordered to mobilize for overseas service by the same War Office telegram which referred to the balance of 1 Cdn Tun Coy (para. 15, above), 26 Dec 40 (C.M.H.Q. file 6/1 TUN/2).

50. The largest single task performed by the Canadians has been the tunnelling for a large subterranean hospital (now known as GORT'S HOSPITAL) in the heart of the Rock. This hospital is described by General Hertzberg as being most complete and commodious. It appears that this project was in view at the time when the first Special Detachment of 1 Cdn Tun Coy was sent to GIBRALTAR, for this detachment's War Diary records, under date of 23 Nov 40, that when Lt.-Col. THOMSON came aboard their transport in GIBRALTAR harbour, it was learned for the first time "that The Special Detachment was to do the tunnelling for an underground hospital and highway 1100 feet long through the Rock". Under date of 4 Dec 40 the same Diary records, "We started the Monkey Cave end of the Hospital Tunnel today". References are also made to various miscellaneous jobs performed by this Detachment, particularly by its diamond drillers.

51. It was evidently primarily with a view to the construction of the hospital that 2 Cdn Tun Coy was despatched to GIBRALTAR; but there was considerable delay after its arrival in March 1941 before work on this job actually began. The unit's War Diary records, under date 15 Mar 41,

New plans for hospital at Monkeys Cave Road tunnel and underground Hospital not ready yet so we continue on small jobs until they are ready. These plans have been altered very frequently in the last several months.

52. Complaints of changes of plan, or of work being begun on the basis of inadequate plans, are fairly common in the Canadian Diaries. On 5 May 41 the diary of 2 Cdn Tun Coy records "The word to go has finally come on the Nursing Sisters Quarters end of the Ottawa tunnel, now called New Hospital Galleries"; and on 20 May 41 the Diary observes;

The jobs are progressing slowly. We are split up into a lot of small jobs none of which show up to much. Never the less, we hope to have a decent go when we get into the hospital job. We have been months waiting for it.

53. The real beginning of tunnelling work connected with the hospital appears to be recorded by this Diary under date 9 Jun 41: "The first round underground of the 'New Hospital' galleries was taken today. The first sod turned on this job almost a month ago". The name "Lord Gorts Hospital (formerly referred to as New Hospital)" is first mentioned on 4 Jul 41.

54. By the autumn of 1941 the tunnelling for the hospital was well on the way to completion. Under 7 Oct the Diary notes: "The excavations for Chambers No. 1,5,6 of the Gorts Hospital are finished. That is the engine room, kitchen and ablution rooms". On 19 Dec 41 the diarist records further progress as follows:

Weekly reports show that we removed 1745 tons from Gorts hospital this last week. It also shows that Chambers 1,3,4,5,6,7,8 and 9 are finished and No. 2 Chamber is finished but its extension of 21' for Nurses Quarters, which the C.E. calls Chamber No.11, has run into a cave. A few days of delicate handling and it will be finished too. This puts us well within our time limit even with the additions to the original plan.

On 21 Dec 41 the diary records further: "The chambers and work at Gorts Hospital is finished well ahead of time even with the two added chambers 9 and 11".

55. It had been understood by the Canadians of 2 Cdn Tun

Coy that when GORT'S HOSPITAL was finished their tour of duty at GIBRALTAR would finish likewise. Nevertheless, before the Hospital was quite complete other work was being found for them. On 17 Oct 41 the unit Diary notes, "They are starting to empty the magazine at Governors Cottage preparatory to our starting there to drive to connect it with Gorts Hospital". On 21 Oct 41 the diarist remarks:

Weekly reports show 1,608 tons removed. A slight falling off due, no doubt, to the fact that the lads know that we must drive the tunnel through to Governors Cottage after being told that (we) finish Gorts and go.

On 19 Dec 41 the diarist observes, "The main drive through to Governors Cottage is going very slowly indeed but at least it is going ahead, not backwards".

56. Various secondary jobs are referred to in the Diary, one being the construction of two "pillboxes" ultimately christened FORT CANADA and FORT GARRY. On 27 Jun 41 the Diary notes that the name "FORT CANADA" was set in concrete on this work, which is situated at a place called DEVIL'S BELLOWS. On 16 Oct 41 the Diary notes, "Fort Garry has been camouflaged to look like a cottage and the loop-holes covered with rough dark cement plaster. They are going to do that, too, with Fort Canada".

57. The Diary for December 1941 refers to two new jobs of chambering, one "a new oil storage chamber for the Glen Rocky distillery (refinery?)", and a chamber 40x50x8 at VINEY QUARRY for bomb disposal stores. The catalogue of minor tasks could be extended indefinitely.

58. It appears that the second Special Detachment of 1 Cdn Spec Tun Coy despatched to GIBRALTAR early in 1942 (as noted above, paras. 21-23) was sent there for the purpose of "working on the North Front Airport job" (Diary of 2 Cdn Tun Coy, 5 Feb 42). The intention was to use this detachment of diamond drillers to bring down scree from the north face of the Rock to provide material for extending the aerodrome created on the old racecourse (para. 8 above). According to Diary of 2 Cdn Tun Coy for 30 Nov 41, the project was to extend the landing field some 800 yards into the water, evidently on the west side of the Rock, into the BAY OF ALGECIRAS.

59. General Hertzberg told the writer that the Special Detachment were employed for some time on this work as proposed, but that complaints were made of damage to buildings caused by their blasts and that in consequence they were taken off this project and put on other jobs. The work of bringing down the scree for the aerodrome is now being done by hydraulic methods.

60. No War Diaries for this second Special Detachment of 1 Cdn Spec Tun Coy have yet been received at the Canadian Overseas Records Office, and details are therefore lacking.

61. A complaint frequently occurring in the Canadian Diaries from GIBRALTAR is that of the work being hampered by inadequate supplies of compressed air: for example, "Equipment lying about and no air with which to use it" (2 Cdn Tun Coy, 15 Sep 41).

62. Canadian engineering authorities are well pleased with the standard of the work done by the Canadians at GIBRALTAR, and while the means of making definite comparisons are not available to the writer at present, it seems fairly safe to

assume that their achievement compares favourably with that of the R.E. tunnelling units at the station. On one point - that of safety - their record is certainly superior; for the Diary of 2 Cdn Tun Coy, in commenting upon a court of inquiry on a vehicle accident, notes (18 Oct 41) :

The C.R.E. in his note to the C.E. made remarks as follows, - 'The R.C.E. (Canadian Tunnelling Coy.) have an admirable record in never having had a single blasting accident.'

The Canadian Diaries contain a number of references to the funerals of R.E. tunnellers killed in such accidents.

CONDITIONS OF SERVICE AT GIBRALTAR

63. GIBRALTAR in wartime is in many respects an unpleasant station, and the Canadian troops now stationed there are thoroughly sick of it.

64. As is well known the whole area of the colony is very small, and war conditions exclude the possibility of granting leave to the troops employed there. The situation is made worse by the almost total absence of female society. The civil population has been very largely evacuated, and the Spanish civilians who provide a large proportion of the ordinary labour in the town and apparently also in the Dockyard are obliged to leave the colony at night. (The normal "deadline" in this respect is 2100 hrs, but the Diary of 2 Cdn Tun Coy mentions under date 27 Sep 41 "a dance with special permission for the girls from Spain to stay till 2200 hrs".)

65. The consequence of the circumstances just noted is that, as described to the writer by General Hertzberg and as indicated in Canadian War Diaries, there is little for men off duty to do but drink, and there are plenty of establishments ready to cater to their propensities in this respect. General Hertzberg mentioned that the Naval authorities appear to object to any strict regulation of these places in the matter of hours, etc. Under date of 5 Oct 41, the Diary of 2 Cdn Tun Coy observes:

Drunkenness is our big problem here at Gibraltar. The men say that there is nothing else to do but, when we sent a truck around to take men down for some swimming we only collected five who wanted to go. The water was just right for swimming.

66. A Rest Camp has been established at GIBRALTAR at which men can spend three days at intervals as a break in the ordinary routine and a substitute for leave. Although the War Diary of 2 Cdn Tun Coy states that the men who go to this Rest Camp report a good time, it also hints that it is difficult to get men to go. "It is amusing, and sometimes exasperating, how suspicious lads get when one tries to do something for them" (28 Aug 41). Some sport has been organized by the Canadians themselves, and the same Diary remarks, perhaps a trifle grimly, "The soft ball is getting better and, when all the lads are sober, we get some very good games" (4 Jul 41).

67. Certain fortunate individuals have had the opportunity of trips on naval vessels, and these have been greatly appreciated. Thus, on 21 Apr 42, the Diary of 2 Cdn Tun Coy records:

Sgt McAuley and Spr Bertrand returned today from a historic trip on the destroyer "Wishart". They went out into the Atlantic and picked up a fleet of the Renown, two cruisers, Cairo and Charybdis and the American aircraft carrier "Wasp". They

then ran into the Mediterranean as far as Sardinia where they delivered their planes to Malta.

68. In addition officers and senior N.C.O.s. are allowed to visit SPAIN for short periods. The first two Sergeants permitted to go under this arrangement visited ALGECIRAS in April of 1942, and it is recorded that "They found that it reminded them somewhat of old Quebec City" (Diary of 2 Cdn Tun Coy, 27 Apr 42). Under 24 Aug 41 it is recorded that,

A bull fight in La Linea drew quite a few officers from the 'Rock'. The 'Rock' certainly looks grand from Spain.

69. Such opportunities as these come only to the few, and only at long intervals; and life at GIBRALTAR has in general been very tedious for the units stationed there. Under date of 18 Apr 42 the Diary of 2 Cdn Tun Coy makes the following comments:

The Company, feels cut off from the rest of the Canadian Army, that it is being forgotten especially the officers when they see all the shifting and promotions in England and Canada that is going on now. The men getting no extra pay for it and no action and no leave, feel badly done by even though there is a war when they hear from their old comrades who are getting leave etc. They forget that drink and food is more plentiful and cheap here and the weather better.

70. The Diary of 2 Cdn Tun Coy affords means of building up a picture of the wartime life of GIBRALTAR, and quotations selected with this in view may have some value for the Official Historian. One interesting passage occurs under date 17 Dec 41:

It is an amazing sight to see the rush of Spaniards out of the Naval Dockyards at 1800 hrs. Then down Reclamation Road, over to Spain, or to sit in a car in Irish Town and watch the Spanish men and women walking out by the Gate of the Keyes, back to Spain each with his or her paper bag or basket full of bread or some kind of food. They bring fruit and vegetables in when they come in the morning and take out tea, coffee, soup, bread etc in the evening. Over 5,000 of them make the trip each day and most of them walk. Fat old women, young fairly good looking women, girls, boys and men of all descriptions, even some Chinese, all carrying parcels or bags.

71. The comings and goings of the Naval Forces based on GIBRALTAR obviously constitute a matter of major interest in the lives of the garrison of the fortress. Many references in Diaries bear this out. For example, the diarist of the Special Detachment, 1 Cdn Tun Coy, on 29 May 41 describes the return of "H" force to harbour after the operations culminating in the destruction of the German battleship BISMARCK;

H. Fleet steams into port. Troops lined the moles and bands played them in. Cheers went up from all sides. The old Ark sure looked good as she steamed majestically into port with the flight deck lined with sailors.

72. On 14 Nov 41 the diarist of 2 Cdn Tun Coy records the sad news of the loss of the famous aircraft-carrier "ARK ROYAL" not far from GIBRALTAR, and remarks, "We will miss it very much because we have been so used to seeing her pop in and out on her various missions".

73. Occasionally, as in England, some enemy air action affords a break in the tunnellers' routine. Such a break is recorded in the 2 Cdn Tun Coy Diary for 10 Mar 42, in a passage which is a curious mixture of the pastoral and the warlike:

The air is full of song birds and the waters of the Bay, Straits and sea are calm and sunny. There are always flowers to be seen at Gibraltar. At 1300 hrs. an enemy plane flew over the "Rock", very high and the A.A. chased it away, or it was going anyway. We had one casualty, Spr Johnson, W.H., who was injured in the shoulder (right) by a piece of shrapnel from one of the A.A. shells. Not seriously.

74. The Canadian diaries contain numerous references to visits by Canadian personnel of the Naval and Air Forces. It appears to be usual for Canadian officers of these services to visit the mess of the Canadian Tunnellers when they find themselves at GIBRALTAR (see e.g., various references in 2 Cdn Tun Coy diary for Nov 1941).

THE PROBLEM OF RELIEFS

75. In view of the conditions of service outlined above, the question of relieving the Canadian Tunnellers stationed at GIBRALTAR has become a matter of rather urgent interest to the Canadian military authorities. As already noted, the original understanding was that 2 Cdn Tun Coy would remain at GIBRALTAR for a limited period only. Telegram No. 2155, MASSEY to IMMEDIATE EXTERNAL, 28 Dec 40, explaining the proposed formation of this unit, says in part, "...a proportion of the personnel now at Gibraltar would be made the nucleus of the 2nd Tunnelling Company to carry on work there which may take six to nine months. After completion there will be plenty of employment in Corps for this second company" (C.M.H.Q. file 6/1 TUN/2). These expectations, as already seen, were not realized, and 2 Cdn Tun Coy, although their War Diary of 30 Sep 41 states that the C.R.E. (T) even then assured them that they would "be in England about Christmas", still remain at GIBRALTAR at this moment (August, 1942).

76. It was mainly to investigate the situation thus created that General HERTZBERG visited GIBRALTAR recently (above, paras. 2-3). The General, in an undated memorandum written after his return from GIBRALTAR (C.M.H.Q. file 6/2 TUN/1), described the situation, and mentioned among other circumstances the fact that about 50 of the other ranks who were transferred from 1 Cdn Tun Coy to 2 Cdn Tun Coy at GIBRALTAR have been there since November 1940. General Hertzberg pointed out that the men were very discontented and felt that the promises given them had not been fulfilled. He added that he would have recommended their recall at as early a date as could be arranged, but for the fact that some of the Tunnellers from the United Kingdom had been in GIBRALTAR longer than the Canadians, and "Although the circumstances are not the same, it is felt that a very bad impression of Canadians would be given if they were relieved before the U.K. Tunnellers".

77. General Hertzberg summed up the result of his conferences with the Governor of GIBRALTAR as follows :

6. The tunnelling requirements on the Rock could be extended indefinitely but the Governor feels that, after the completion of the very important work now in hand, any further tunnelling operations could safely be left to the normal quota of tunnellers who are permanently at Gibraltar. This would release the U.K. Tunnellers as well as the Canadians. A long term policy is not justified

as the next 6 months is the critical time for the fortress.

7. In a final discussion with the Governor at which all the circumstances were discussed at some length, it was decided to recommend to the G.O.C.-in-C., First Cdn Army that he should state that the Canadian Tunnellers are required to rejoin the Cdn. Army but that, because of the vital importance of the task on which they are now employed, they may be left in Gibraltar until it is completed. If this is done, the scope of the work could be agreed upon by the C.E. Gibraltar and the O.C., 2 Cdn Tunnelling Coy. It should be made quite definite that no additions could be made to the task and that, in any event, the Coy. would return to England as soon after the end of this year as shipping facilities will permit. The existing understanding that the Unit may be recalled at any time for urgent operational reasons, will, of course, remain.

8. If this recommendation is accepted, the Governor has agreed to parade the Canadian Tunnellers and give them his personal assurance that the agreement will be lived up to. This, of course will still leave the men discontented but they will, at any rate, see a definite end to their stay on the Rock and will put forth every effort to advance it.

78. After considering General Hertzberg's report, General McNAUGHTON, G.O.C.-in-C., First Canadian Army, wrote to the Senior Officer, Canadian Military Headquarters, as follows (letter P.A. 5-0-13, Lt.-Col. N.E. RODGER to S.O., C.M.H.Q., 16 Jul 42) (C.M.H.Q. file 6/2 TUN/1) :

3. While it is realized that the unit has been retained in Gibraltar for very good reason; nevertheless, the promise that it would be returned after six months has not been fulfilled and the morale of the men has suffered severely. British units have also suffered the same disappointments, but the Canadian soldiers had already been away from their homeland more than a year when they went to Gibraltar, and while there they are isolated from their own countrymen. This is not the case with the British troops.

4. Furthermore, it is important that this unit should have an opportunity to train as an integral part of First Cdn Army to become fitted and available for its intended operational role. Up to the present, it has not served within this formation, nor has it practiced other than the one particular aspect of its operational role.

79. General McNAUGHTON requested that the War Office should be asked to review this subject "in the light of the recommendation made by the C.E. First Cdn Army, in which the Governor of Gibraltar has concurred, that, provided shipping permits, 2 Cdn Tun Coy will be returned to England so soon as its present task is completed, and in any event not later than January 1943".

80. The British authorities were approached accordingly; and it is now understood that the War Office has cabled GIBRALTAR ordering the return of 2 Cdn Tun Coy in January 1943, members of the unit to be informed of this decision. A copy of the cable sent is not yet available at C.M.H.Q.

(C.P. Stacey) Major,
Historical Officer,
Canadian Military Headquarters.