

rifle

- Q 40 And did he say anything about loading the rifle?  
 A 40 Yes, he asked him if it was loaded.  
 Q 41 And did Long make any reply to that question?  
 A 41 He just nodded.  
 Q 42 Well, did he load it up or not?  
 A 42 I didn't see, sir.  
 Q 43 Well, now in the evidence which you gave at the inquiry you then stated on oath that you saw Spr. Long just closing the bolt of his rifle as he went out of the door and that was immediately after Flynn had asked Long if his rifle was loaded?  
 A 43 Yes, I seen him close the bolt, but I didn't see him load the rifle.  
 Q 44 Did you hear any sound which would ~~xxxxx~~ lead you to believe the rifle had been loaded?  
 A 44 No, sir.  
 Q 45 About what time was that that this took place?  
 A 45 Around eight o'clock or eight thirty. I don't remember now, exactly.  
 Q 46 Well, you said about 9:15 on the evidence you gave--  
 A 46 I don't remember now, sir.

CROSS-EXAMINED BY THE DEFENSE:

- Q 47 In the evidence taken on the summary you say Spr. Long and Spr. Flynn came in. Was Spr. Flynn in the room?  
 A 47 He was in the room, sir.  
 Q 48 He was in the room with Long?  
 A 48 Yes, sir.  
 Q 49 Was he there with Long until Spr. Holland came into the room?  
 A 49 Yes, sir.  
 Q 50 Did they leave together?  
 A 50 Yes, sir. I think Flynn went out a second or two before Long did.  
 Q 51 But they started out together, did they?  
 A 51 Yes, sir.  
 Q 52 As far as the question that Flynn asked Long "is your rifle loaded" is that an unusual question to ask, I mean of a person taking his rifle with him?  
 A 52 How do you mean, sir.  
 Q 53 Would you take that to be a precautionary question, perhaps, that maybe he wanted to make sure the rifle wasn't loaded?  
 A 53 I don't quite follow, sir.  
 Q 54 There is a possibility that to ask if the rifle is loaded isn't necessarily a question to incite a person to make sure the rifle is loaded?  
 A 54 No, sir.

RE-EXAMINED BY THE PROSECUTION:

- Q 55 In your original evidence. Sweet, you said that Flynn kept asking him if he was going to take his rifle with him, now did he ask that on more than one occasion?  
 A 55 Yes, sir, he did.  
 Q 56 Did he seem anxious that Long should take his rifle or not?  
 A 56 No, sir.  
 Q 57 At the time when he asked him whether his rifle was loaded, what was your impression of his reason for asking that question at the time?  
 A 57 I don't know, sir; I wasn't paying much attention to them.

The 5rd Witness for the Prosecution, A19296, Sapper Morton, F. F., 7 Cdn. En. Coy., R.C.E., having been duly sworn, is examined:

- Q 58 Will you tell the Court what took place in the evening of the 28th of February about the time Sprs. Flynn and Long came into the spidery to start with, I was in bed, reading at the time and they both came in and they were standing by the bed. They were talking.  
 Q 59 Who do you mean, they?  
 A 59 Sprs. Flynn and Long. And I didn't pay very much attention to them at any time, I continued to read, but after they started to go out Spr. Long was carrying his rifle.