

Q. How long have you been employed in these gun stores?  
A. Off and on sir, since June of this year.

Q. This accident on the 25 Oct, Approximately ~~have~~ how long have you been employed in there between June and October?  
A. Two months.

Q. During that time have you had any occasion to deal with explosives of any nature at all?  
A. No sir, as it was not customary to keep explosives in this store.

Q. Then you had no reason to believe that t is object was an explosive?  
A. No sir.

Q. Gnr. Halliday, did you have any reason ~~to~~ for wanting to maim yourself or injuring yourself?  
A. I certainly did not sir.

QUESTIONS BY THE COURT:

Q. The sgt. said that all loose objects had been cleared out of the stores before this occurred?  
A. That is correct sir.

Q. Well what about this tray that was cleared out?

A. The Sgt had had it cleared out, but things like slit pins etc which were easy to lose were put in t is tray so as to make it more convenient when looking for them. He had them set out in this tray about 2 days before the accident happened *from a tin box we had seen them in when we cleared up.*

Q. You had never seen an object of this nature before? What caused you to play with it?

A. I could not say sir, I suppose it was just curiosity.

Q. Have you ever had any lectures on booby traps?  
A. Yes sir.

Q. Was this article ~~to-any-er~~ similar to anything you had ever had describe to you?

A. No sir The only thing I have seen in a lecture room is a tube to put on the end of a dynamite fuse.

Q. How long have you been in the army?  
A. Since March, 41.

IN THE OPINION OF THE COURT IT IS UNNECESSARY TO COMPLY WITH R P 83(B)

THE CASE FOR THE DEFENCE IS CLOSED

RECALL OF FIRST WITNESS BY THE COURT

H-76114 LSgt. SHEPHERD, W. (Already Sworn) states:

Q. After this explosion did you search in your <sup>for the article</sup> cage which must have exploded?

A. Well, I found particles of this piece of aluminum and also some pieces of the fingers and a lot of blood. They were swept up and thrown away.

Q. Did you examine them at all?  
A. No sir.

STATEMENT BY THE DEFENDING OFFICER ON THE SECOND CHARGE

With reference to the alternative charge that the accused negligently handled an explosive object so as to ~~wander~~ cause it to discharge, I suggest that there is no evidence that the accused handled the explosive negligently. The accused admits that he came into the Store Room saw this object on a tray and picked it up. He had no reason to believe it was an explosive object as it did not look like an explosive.