

*18 Hudson Major*  
President, DCMCLOSING ADDRESS BY DEFENDING OFFICER  
IN MITIGATION OF PUNISHMENT

Gentlemen, at this point I would like to enter a plea in mitigation if the Court will allow me to try to bring back what seems to be the whole story beginning eighteen months ago that the accused joined the Services. He attended a basic training camp which showed he has limited knowledge or limited capacity of learning. He was then transferred to Ottawa -- again transferred from Technical Record Branch of the Ordnance to Army Headquarters where he appeared in front of the Personnel Selection Officer and he then complained of headaches. He was sent to the Rockcliffe RCAF Hospital and kept under observation there for some three weeks. Then he was transferred from Rockcliffe to Montreal Military Hospital where he was kept there for a further two months without apparent remedial action for his state. The information I have is vague -- apparently struck off strength Montreal Military Hospital on 24th May 1949. There is no information as to the date that he arrived at the Rockcliffe Hospital -- it would be around the 3rd of May.

After waiting in a Montreal Hospital for approximately two months he decided to leave there which had been a -- quite a strain on a man doing nothing but sitting around -- left and went to the only place home, where he stayed away for a period of twenty-eight days. He was apprehended at Granby, Quebec, and brought to this Depot and tried by the Commanding Officer and there given a sentence of twenty-eight days detention. He spent the twenty-eight days detention in Kingston, or at Camp Borden, and he was released from detention on the 23rd of July, 1949. He arrived in Ottawa at approximately 2330 hours on the 23rd of July, 1949, where he found no transport to meet him on arrival although he was in possession of a Route Letter given him by the Officer Commanding the Detention Barracks advising him that unit transport would meet him on arrival. He then did the next best thing by telephoning No 26 COD where apparently he spoke to the Orderly Corporal who didn't seem to be -- to know anything about it and was advised to come back on Monday morning. The remainder of the time was to be lost. Having no money the accused reached RCAF Station where he asked to sleep. You have heard what follows. What brought this about? I would classify this as provocation on the part of the Army where a telegram was made out by Camp Borden Detention Barracks, at 0900 hours on the morning that the accused was released from detention. That army message wasn't forwarded to the Signals Office until eleven o'clock. It took two hours to finally reach the Signals people in Ottawa at 1239 hours and they in turn kept the telegram till Monday morning until they opened up. The reason was the telegram was a routine message -- it wasn't given a degree of priority. The reason of not picking him up is certainly a let-down to any soldier. I feel we should certainly look after them.

The following day, the soldier being discouraged and left the city. Things like this could affect some people