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PROCEEDINGS ON CONVICTION BEFORE SENTENCE

The Court having arrived at a finding on the charge against the accused and such finding having been announced to the accused, the Prosecutor tenders to the President MFB. 355 and certified copy MFM.6.

These documents having been read to the Court by the President are marked "Y" and "Z" signed by the President and attached to the proceedings.

Question to  
accused:

Q

Have you any statement to make concerning the documents which have just been read to you?

A

No, sir.

Q

Do you wish to address the Court?

A

The Defending Officer will speak for me.

DEFENDING OFFICER:

"The accused was taken on strength of the Canadian army, REMA, on 18th. April, 1945 and since that time has received two sentences as a result of courts-martial, the first one 30 days under 15 (1) and 9 (2) and the second sentence was for 90 days under 9(2) which total 120 days detention. The accused, as you can see, having enlisted on the 18th. April has spent, with the exception of a few days, all his time in detention and all these offences are attributable to the accused's religious convictions in that he does not believe in obeying man-made laws, in fact his views are so strong in this matter that he refuses to sign a declaration so that his wife and child could receive an allowance from the government and as a result, they are without support. It would appear that it is impossible to make this man conform to army discipline as his views are so firmly entrenched and any further time spent in the army would only result in it being spent in detention so I think that the sooner he is released from the army and returns to civil life where he may support his wife and family in his own particular way the better it will be for all concerned. The war is over now and this man has had no military training whatsoever."

THE SENTENCE IS RECORDED AND ANNOUNCED TO THE ACCUSED IN OPEN COURT.