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Finding*

*To be struck out except in cases where trial has taken place on a plea of "Not Guilty."

The Court is closed for the consideration of the finding.

The Court find that the accused A-116681, Sapper Francis Edward Barrick, A-5 Canadian Engineer Training Centre, C.A., is Not Guilty of desertion, but is Guilty of absence without leave.

*When the Court is already open this sentence will be struck out.

Evidence of character, etc.

Question by the President. 74

Certified True Copy MFM 6 is

read, marked "Z", signed by the President. 75

Question. 76

Question. 77

[Instruction.—If, by reason of the nature of the service of the accused in a departmental corps, or otherwise, the finding of the Court renders him liable to any exceptional punishment in addition to that to be awarded by the Court the prosecutor must call the attention of the Court to the fact, and the Court must inquire into the nature and amount of that additional punishment.]

Question to the accused. 78

Proceedings on Conviction before Sentence

*The Court being re-opened, the accused is again brought before it. Lieut. C.J. Jamieson, R.C.E., A-5, C.B.T.C., C.A., having already been is duly sworn.

Have you any evidence to produce as to the character and particulars of service of the accused? Answer by the Witness. 74 I produce MFB 355 and Certified True Copy MFM 6

The above statement [with the schedule of convictions and of cases in which trial has been dispensed with] is read, marked "Y", signed by the President, and annexed to the proceedings.

"Z", signed by the President, and annexed to the proceedings. Is the accused the person named in the statement which you have heard read? Answer by the Witness. 75 He is, Sir.

Have you compared the contents of the above statement with the regimental books? Answer. 76 I have, Sir.

Are they true extracts from the regimental books, and is the statement of entries in the conduct sheets a fair and true summary of those entries? Answer. 77 Yes, Sir.

Cross-examined by the accused.

The Defending Officer declines to cross-examine this witness.

In the opinion of the Court and the Judge Advocate it is not necessary to comply with R.P. 83 (b)

The witness resumes his seat as the Prosecutor 30

Do you wish to address the Court? Answer. 78 I wish my Defending Officer to speak for me. See The Court is closed for the consideration of the sentence. Appendix "W"