

E

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-~~

[Handwritten mark]

~~_____~~

Proceedings on Conviction before Sentence

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

Evidence of character, &c.

Question by the President.

~~*The Court being re-opened, the accused is again brought before it.~~

Lieutenant J. Brinage, R.C.A., C.A.T.C. (A-2) C.A. PROSECUTOR is duly sworn.

[Handwritten mark]

Have you any evidence to produce as to the character and particulars of service of the accused? Answer by the Witness. 6. I produce MPB355

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

Question by the President. 7. Is the accused the person named in the statement which you have heard read? Answer by the Witness. 7. Yes Sir.

Question. 8. Have you compared the contents of the above statement with the regimental books? Answer. 8. Yes Sir.

Question. 9. 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. 9. Yes Sir.

Illustration—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.]

~~Cross-examined by the accused.~~
The Defending Officer declines to cross-examine the witness.

The Court is of the opinion that Rule of Procedure 83 (b) need not be complied with.

The witness resumes his seat as the prosecutor.

Question to the accused. 10 Do you wish to address the Court? Answer. 10. Yes Sir. See App. "G"

The Court is closed for the consideration of the sentence.