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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, No. A.57856, Private Donald Burns McKINNON, No. 2 District Depot, C.A., is not guilty of desertion, but is guilty of absence without leave on the first charge with the exception that the costs of apprehension and return are \$92.46, and not \$104.67, as stated on the charge sheet; and is not guilty of desertion, but is guilty of absence without leave on the second charge.

Proceedings on Conviction before Sentence

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

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

Capt. (Major) N. M. Menzies, E.D., No. 2 D.D., C.A., att'd H.Q., M.D. No. 2 (Prosecutor) is duly sworn.

Evidence of character, &c.

Q-163 Question by the President.

Have you any evidence to produce as to the character and particulars of service of the accused? Answer by the Witness. A-163. I produce M.F.B. 355 and certified true copy of M.F.M. 6. The above statement [with the schedule of convictions and of cases in which trial has been dispensed with] is read, marked "Y-Z", signed by the President, and annexed to the proceedings.

Q-164 Question by the President.

Is the accused the person named in the statement which you have heard read? Answer by the Witness. A-164. He is, sir.

Q-165 Question.

Have you compared the contents of the above statement with the regimental books? Answer. A-165. I have, sir.

Q-166 Question.

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. A-166. (See document marked "T" att'd.)

(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.)

Cross-examined by the accused.

---The Defending Officer declines to cross-examine.

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

---The Prosecutor resumes his seat.

Q-167 Question to the accused.

Do you wish to address the Court? Answer. Yes, sir. (See document marked "U" attached.) The Court is closed for the consideration of the sentence.