

## CANADA

DEPARTMENT OF THE SECRETARY OF STATE  
INTERMENT OPERATIONSO t t a w a  
13th February 1940The Adjutant-General  
Department of National Defence  
O t t a w are : P/W K.130 L. H. FELDBAUER  
P/W K.166 H. HESSE

Reference the two prisoners named above, who were, on 30th January, sentenced by Military Court to undergo two years imprisonment without hard labour.

It is noted that these prisoners were committed to the Saskatchewan Penitentiary, Prince Albert.

This matter has been discussed with the Department of Justice and it is noted that this committal is irregular in view of the provisions of para. 98 of the Regulations Governing the Maintenance of Discipline Among and Treatment of Prisoners of War, which states that where a prisoner has been sentenced to imprisonment, he shall be committed to a prison or detention barrack and is only committed to a penitentiary where the sentence is that of penal servitude.

The matter has also been discussed with the Judge Advocate General who concurs and who suggests that these prisoners be immediately transferred to a prison.

It is therefore suggested that telegraphic instructions be sent to the D.O.C., M.D.13 that new committal orders be signed and the transfer of these prisoners from the Saskatchewan Penitentiary, Prince Albert to the provincial prison be immediately effected.

Telegraphic instructions have been sent to the Warden of the penitentiary at Prince Albert to release these men to the R. C. M. P. when they come for them and present suitable written authority.

Copies to :

D.O.C., M.D.13, Calgary  
Department of Justice.

*H. Stethem*  
(H. Stethem) Lieut.-Colonel  
Asst. Director of Internment Operations  
*H. Stethem (ASD)*