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DEPARTMENT OF NATIONAL DEFENCE
ARMY

Petawawa Military Camp, 20th Feb., 1943

The Secretary,
Department of National Defence,
Ottawa, Ontario.

CENTRAL REGISTRY Army
PERM. SEC.
FEB 22 1943
355-2-449
Copy to
Assigned to

District Court-Martial
D.620243, Gnr. LAROSE, G.
Gen. List No. 4 MRMA Clearing Depot,
A-1, C.A.T.C., C.A.

The proceedings of the m/n District Court-Martial are forwarded herewith for registration and custody.

2. The Finding and Sentence having been duly confirmed the charge, finding and sentence have been promulgated to the accused and extracted as appear from minutes endorsed upon the proceedings.

3. The following irregularities in these proceedings have been observed at this Headquarters and wherever possible have been brought to the attention of the Officers concerned.

(a) In the Medical certificate the regimental number of the accused and the initials are wholly incorrect. It is considered that this certificate might well have been rejected by the Court. In addition the certificate has been partially completed in pencil and the Medical Officer has omitted to set out his unit or corps.

(b) On page "A" the title of the Commanding Officer is show as "Camp Commander" whereas his correct title is now "Commander".

(c) It will be noted on page "C" that the prosecutor introduced two exhibits which were not referred to in the Summary of Evidence, but he explained to the Court that the Defending Officer had been notified of the production of these additional exhibits.

(d) In the fifth line of exhibit "G" M.F.B. 375 the unit or attachment of the absentee has been omitted. The third and fourth lines of the declaration are as follows: "illegally absented himself without leave 0615 hours at Petawawa Military Camp on the 30th day of September, 1941". This should read "illegally absented himself without leave from A-1, C.A.T.C., C.A. Petawawa Military Camp, Ontario at 0615 hours on the 30th day of September, 1941". The declaration also states that "on 23/10/41 he was deficient and that he is still deficient". In view of the fact that the Court assembled on 23rd October, 1941 the words "and that he is still deficient" have very little value. It is considered preferable that the date of the original deficiency should be the date when the first inventory of kit was made which ought to be within a few days of his absence being reported. It is noted also that the units or attachments of the President and Members of the Court have not been stated.

(e) In Exhibit "H" M.F.M. 216 the deletions have not been properly initialled and the description of the absentee is inaccurate and incomplete. In view of the defects in this form it is considered that it would have been preferable to submit further evidence of the apprehension.

(f) Exhibits "I", "J" and "K" M.F.'s.B. 1481 do not indicate clearly how, if at all, the costs therein shown are to be apportioned to this accused. In Exhibits "J" and "K" the description of the absentee is inaccurate and incomplete and the deletions

(over)