APPENDIX "L"

THE PROSECUTOR ADDRESSES THE COURT

Mr. President and Members of the Court;

In summing up the case against the accused, Sapper McPhee, I wish to stress that we have Documentary Evidence to show that the accused went absent and continued to stay absent for a matter of a few days less than one year, before he was apprehended in civilian clothes at a distance of several hundred miles from this Camp; all of which leads us to believe that he had no intention of coming back.

Although he has stated that his wife was ill and could not look after herself, it would not seem to be ample reason to stay away from this Camp for that length of time. There was no income, because his pay and Dependents' Allowance had ceased.

The accused must appreciate the fact, as well as the Court, that if this attitude was taken by Sappers in general, we would not be able to fight a war at all, as our forces would not be able to get together.

Due to this evidence, I feel that the accused has brought forward nothing to show that he had any intention of returning, and therefore, he sould be found Guilty of the charge of desertion.

E.R. Lovett Major
President R.C.M.