



CANADA

DEPARTMENT OF NATIONAL DEFENCE

ARMY
Headquarters, M.D. 13
CALGARY ALBERTA

IN REPLY PLEASE QUOTE
No. C.36-C-2693

~~CONFIDENTIAL~~

REGISTERED

The Secretary
Department of National Defence
OTTAWA, Canada

28th August 1942

District Court-Martial
M.66303 - Pte. CHIEDUCH, E.H.
A20 C.A.S.C. Training Centre, C.A.

AUG 31 1942

R-30

CENTRAL REGISTRY ARMY
R. RS. SEC
153-5428
AUG 31 1942
File
Chg'd to
Referred to J. G.

Reference the attached Proceedings of the marginally noted District Court-Martial.

1. The Proceedings have been reviewed at this Headquarters and it has been observed that:

(a) The M.F.B. 375 is not put in by the First Witness. The document was put in the Summary of Evidence by the Second Witness as part of the Proof of Deficiencies. It is considered that document I (page 51) proves the point of the commencement of absence. M.F.B. 375 is attached to the Summary of Evidence (Document Q, page 105).

(b) The Defending Officer should have re-examined the accused at the conclusion of the cross-examination of the Prosecutor. If the Defending Officer desired to ask further questions at the conclusion of the questions addressed by the Court same should have been put through the President of the Court in accordance with R.P. 85.

2. The foregoing observations have been brought to the attention of the appropriate Officers concerned for their future guidance.

3. The accused was apprehended on the 17th day of April 1942. Application for Court-Martial was made to this Headquarters on 9th day of June 1942, was reviewed for form and substance and was returned to Unit for re-submission on 2nd July 1942. The said Application was again submitted to District Headquarters on 27th July 1942. Trial was ordered on 28th July 1942.

4. It is not considered that the Proceedings are in any way invalid and they have been confirmed and promulgated and are now forwarded for custody and safe-keeping.

Ernest Harvey
Ernest Harvey
(Ernest Harvey) Brigadier
District Officer Commanding, M.D. No. 13