

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

CANADA

~~CONFIDENTIAL~~

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DEPARTMENT OF NATIONAL DEFENCE

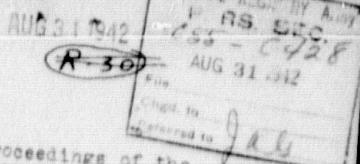
ARMY

Headquarters, M.D. 13  
CALGARY ALBERTA

28th August 1942.

The Secretary  
Department of National Defence  
OTTAWA, Canada

District Court-Martial  
M.65303 - Pte. CHIEDUCH, E.H.  
A20 C.A.S.C. Training Centre, C.A.



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  
3rd 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.

*Frank M. Harvey*  
(F.M.W. Harvey) Brigadier  
District Officer Commanding, M.D. No. 13