

No. 5 District Depot cancels the order which T.O.S. the Accused and the Prosecution did not produce any other evidence showing the Accused to be on strength of the Depot nor did the Prosecution produce any evidence of a Court of Inquiry showing the Accused as having absented himself from the date shown in the charge sheet. In closing the Defence would like to say this, it admits absence without leave from the Royal Rifles of Canada, Camp Sussex, N.B. as from the 30 Nov 40 up until the 31 Dec 40 which is the date shown in the letter received or letter submitted in evidence and signed by a Treasury Officer and add that it hopes the Court will believe that it was perfectly reasonable for Rifleman Douthright to assume that he had been discharged from His Majesty's Forces and that under these circumstances the Defence pleads that the Court deal leniently with him.

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