



DEPARTMENT OF NATIONAL DEFENCE
ARMY

Headquarters, Military District No. 13
Calgary Alberta

28th December, 1943.

REGISTERED
CONFIDENTIAL

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

CENTRAL MAILING Agency
CONF. REC.
JAN 4 1944
File # C.36-P-1487
Original to _____
Referred to _____

DISTRICT COURT-MARTIAL
No. M.608475, Pte. Wesley Fedrik,
131 Canadian Army (Basic) Training Centre, C.A.

Reference the attached Proceedings of a District Court-Martial on the trial of the above named soldier.

1. Enclosed herewith are the Proceedings of the District Court-Martial of the m/n soldier held on 1st December, 1943. Minor irregularities have been pointed out to those responsible for same.

2. In addition, the following points are noted:

(a) The interruption of the Defending Officer on Page C, was improper. He should have made a formal objection or reserved his comments until his Closing Address.

(b) The Prosecutor, in document "K", quoted the wrong subsection of Section 163 of the Army Act. No doubt he meant to quote subsection(h).

(c) The cost of apprehension and return in respect of the R.C.M.P. were proven by the Guard Report, Exhibit "M". In view of the fact that M.F.B. 1482 was defective it is considered that this is a legal way of proving these costs, as the document concerned is a ~~valid~~ ^{legitimate} document.

3. The evidence is in accordance with the Finding and the Sentence legal. Confirmation therefore has been made and the Proceedings are now forwarded for custody and safekeeping.

4. The time between the return of the soldier to his unit (27 Nov 43) and the date of the Convening Order (30 Nov 43)

is three days.

The time between apprehension and trial is six days.

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Sedney Head
h (F.M.W. Harvey) Brigadier,
District Officer Commanding,
Military District No. 13.