

# Memorandum

To: THE MINISTER OF NATIONAL DEFENCE.

Department of National Defence

H.Q. C.55-L-371 (JAG)

OTTAWA, December 10, 1942.

Ré: GENERAL COURT-MARTIAL  
E.4516 Pte. Labrecque, A.

The marginally-noted soldier was tried by a General Court-Martial on the 20th of November, 1942, at No. 6 District Depot, Halifax, N. S., on the following charge:

"WHEN ON ACTIVE SERVICE DESERTING HIS MAJESTY'S SERVICE in that he in England, on the 17th August, 1942, absented himself without leave from No. I.C. D.I.R.U., England, at 0600 hours on the said 17th August, 1942, till apprehended by the Military Authorities at Halifax, Nova Scotia, at 1800 hours on the 28th September, 1942, dressed in uniform.

2. The accused pleaded Not Guilty to the charge in question, but was found Not Guilty of desertion, but Guilty of absence without leave on the charge, and sentenced to undergo detention for two years.

3. I have reviewed the Proceedings and hereby certify that the same are regular, the Finding properly made and the Sentence according to Law.

4. The Adjutant-General has, pursuant to K.R.(Can.) 575, as amended by G.O. 225/1941, reviewed the Proceedings and concurs in the Sentence. There do not appear to be any reasons which, in my opinion, would warrant any mitigation or commutation of the sentence in question, and accordingly I attach a draft submission to the Governor General in Council recommending that the Finding and Sentence be confirmed.

  
Brigadier,  
Judge Advocate-General.

FEB/S.