

another branch in which the Officers therein need not be and do not, as a whole, hold combatant commissions, such action would appear to be somewhat unusual without the express consent of the Officer concerned". This opinion had to do solely with the advisability of compulsorily posting a combatant Officer to a non-combatant Corps; and when instructions (H.Q. 8672-1 of 4.10.29) were issued that the commission which I hold was in error and should be recalled, the opinion was advanced by a member of Defence Council thoroughly conversant with the facts (H.Q. 8672-1 of 15.11.29) that "It was certainly unusual to deprive Officers of their commissions without cause". The opinion of the J.A.G. on this particular phase of the question is not recorded.

(e). Para. 5. I state, most emphatically, that I entered the Permanent Force upon the distinct promise that I would be granted a combatant commission with the substantive rank of Major in Record Section C.M.S.C., and it was through no fault of Defence Council that this promise was not wholly implemented. This matter was thoroughly discussed with me in April, 1920, by the then A.G. and the then D. of R. and my present statement regarding intention is substantiated officially by them. Until the disbandment of Record Section, no question concerning my combatant status was ever raised by Members of Defence Council or Staff Officers of your Branch, so, in view of the provisions of this submission, it is conceded that I was issued with a combatant commission and enjoy the status of a combatant Officer, I was encouraged and permitted to qualify for advancement by taking promotion examinations which I was successful in passing.

(f). Para. 6. I have requested upon two occasions to be transferred to the "List of Officers permanently employed but not borne on regimental establishments". These requests were made consequent upon a memorandum prepared for the A.G.'s signature by the Departmental Officer who prepared the submission under review, and in which it is stated that "I have completed my qualifications for the rank of Major in the Permanent Force and my transfer from the C.M.S.C. might perhaps be given consideration". (H.Q. 332-42-25, Vol. 2, of 10.12.26.). Further, this memo indicated that were I to be transferred to the "List of Officers, etc." I would immediately become due for promotion to the substantive rank of Major.

(g). Para. 8. While in practice a limited number of Officers below the senior rank referred to have been posted to this list, there does not appear to be any regulation precluding such posting and 7 Officers of junior rank to those referred to were posted to this list subsequent to post war re-organization of the Permanent Active Militia.

(h). Para. 10. As above stated, I have requested upon two occasions that consideration be given the question of my status. My first request was considered by Defence Council and their opinion forwarded for my information. Until the present there is no indication on my files that action has been taken on my second request which is dated April 14th. 1927. This has been the extent of my persistency.

(i). Para. 11. As pointed out in paras. (b) and (d) above, I was not originally gazetted to the C.M.S.C. but to Record Section, C.M.S.C. and I am not aware of any subsequent, corresponding gazette being published whereby I was posted to the C.M.S.C.. G.O. 17 of 1927 states that Officers and Other Ranks of Record Section, C.M.S.C. will be absorbed by Sections "A" and "B", C.M.S.C., but no provision was made to continue my former status as a combatant Officer in a Corps to which classified Officers only had been appointed. No regulation has been advanced under which I am compelled to "abide by the conditions laid down for the C.M.S.C." when my commission and status are in no respect similar to that of Officers gazetted to the C.M.S.C..

(j). Paras. 13 & 14. As I had absolutely no knowledge of the contents of these paras. I cannot see how the solution was a definite and satisfactory one. The proposed arrangement was never officially shown me, and while it is a fact that during an unofficial conversation with an Officer of your Branch I was informed that a proposal somewhat similar to that now put forward, was under consideration and which, I informed him, would not be in my interests to accept, still the fact remains

