

4th March 1944.

Confidential

District Officer Commanding,
Military District No. 13,
CALGARY, Alberta.

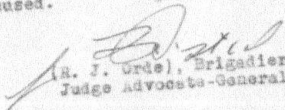
District Court-Martial

H.608473, Pte. Wesley FSDUIK,
131 Canadian Army (Basic) Training Centre, C.A.

Reference your C.55-F-1487 (JA) dated 28th December, 1943. As you rightly point out in C.55-M-2901 (JAG) dated 22nd Feb. 1944, the only evidence offered by the prosecution to prove a part of the costs of apprehension, to wit. 95%, is an entry on M.F.S. 237, which cannot be used to prove such costs.

2. Therefore, for the reasons mentioned in my letter dated 2nd March, 1944 (H.Q.C.55-M-1039(JAG); your file C.55-M-2901), as that part of the sentence imposing stoppages to the extent of 95%, is not supported by legal evidence, the proceedings are being returned in order that the necessary remission can be duly made.

3. May the proceedings be returned when this has been done and when the remission has been duly promulgated to the accused.


(R. J. Orde), Brigadier,
Judge Advocate-General.

LF:ELM

Encl.

Handwritten initials