

ORDER THAT A PERSON SUBJECT TO CANADIAN
MILITARY LAW SENTENCED BY A COURT-MARTIAL
OUTSIDE CANADA BE TRANSFERRED OR REMOVED
TO CANADA TO UNDERGO SUCH SENTENCE OR THE
BALANCE THEREOF.

4.

WHEREAS E.12129 Gnr Brown, E. of 1 Cdn N.E.T.D.
was by Field General Court-Martial held in the field convicted of
the offence(s) of escaping from confinement and absence without
leave
and by a sentence signed on the 21st day of February 1944
sentenced to undergo detention for 18 months
said sentence of detention commencing on the aforesaid day,
and such sentence has been confirmed by A/CRA 3 Cdn Inf Div
as required by law.

Now, therefore, I, the undersigned, a competent military
authority, do hereby, in pursuance of the Army Act, and Order-in-
Council PC 1304 of 4 Mar 44, and of all other Acts and powers
enabling me in this behalf, order that the said soldier shall be,
as soon as practicable, transferred and removed to Canada and
there committed to such place or such several places to which he
could have been committed to serve such sentence if he had been
tried by a Court-Martial and sentenced in any place in Canada, as
any other competent military authority in Canada may appoint in
this behalf, there to undergo his sentence or the balance thereof
according to law.

And for the above purpose, I, the undersigned, do hereby further,
in pursuance of the above-mentioned Acts, Order-in-Council and
powers, order that the said soldier be removed in military custody
by Atlantic surface transport and by railway or such other route
as may be practicable to a port of disembarkation in Canada thence
to be removed to such place as may be directed by competent
military authority in Canada and that for such purpose he be
delivered into the charge and custody of the Conducting Officer
in charge of the appropriate draft who is hereby ordered to keep
and convey the said soldier in custody en route to Canada and
there to deliver him into military custody at the port of
disembarkation, and for so doing this shall be sufficient warrant.

And I do hereby in pursuance of the above mentioned Acts, Order-
in-Council and powers, with a view to the soldier's said transfer
and removal, order the officer or non-commissioned officer in charge
of any detention barrack, guard house or other place where a military
convict, prisoner or detainee may be held in custody, and also the
governor or chief officer of any prison, military or civil, to whom
the said soldier is brought, to receive the said soldier, and detain
him so long as appears reasonably necessary and to deliver him when
required for the purpose of such transfer and removal, and for so
doing this shall be sufficient warrant.

And I do hereby, in pursuance of the above mentioned Acts,
Order-in-Council and powers, order the governor or commandant
or chief officer of any penitentiary, prison or detention barrack,
as the case may be, to whom the above soldier is brought, pursuant
to the direction as aforesaid of competent military authority in
Canada, to receive the soldier into his custody and detain him
accordingly, and for so doing this shall be sufficient warrant.

Signed at Canadian Military Headquarters this 19th day of October, 1944.

P. J. Montague

(P. J. Montague) Major-General
i/c Administration
Canadian Military Headquarters