

~~CONFIDENTIAL~~

AIR MAIL

Quote No. 10/Lariviere M./1

CANADIAN MILITARY HEADQUARTERS

LONDON

CENTRAL REGISTRY Army
CONF. SEC.
4 Aug 44
AUG 26 1944
File C.55-2-227
Chgt to
Referred to

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

E-4451 Pte Lariviere, M.

1. This soldier was sentenced by FGCM/28 Jan 43 to 3 years' penal servitude and to be discharged with ignominy, for absence without leave, for stealing articles of clothing and for making away with his clothing. By his misconduct in detention he has lost a part of the remission of sentence which he might have earned for good conduct. The earliest date on which he should now be released if henceforth he shall earn all remissions possible for good conduct is 4 Feb 45.
2. This soldier enlisted 27 Oct 39 at Quebec City, P.Q. He is 24 years of age. Since enlistment he has been found guilty of 1 offence under AA Sec 12(1)(a); of 5 offences under AA Sec 15; of 1 offence under AA Sec 24(1); of 1 offence under AA Sec 24(2); and of 1 offence under AA Sec 41(5). He has been convicted twice by FGCM: the first time on 7 Apr 41 when he was awarded 3 years' penal servitude for deserting His Majesty's Service and for losing by neglect (this sentence was suspended on 27 Oct 42); the second being that mentioned above in paragraph 1.
3. Since this soldier is serving his sentence in Civil Prison he has not been medically examined since his committal thereto. In this respect the instruction contained in paragraph (A) of your cable AG 4757 dated 7 Jun 44 has not been complied with. However, the soldier will be medically examined before despatch on draft XUK.
4. In view of this soldier's record of conduct since enlistment it is my opinion that the Court's sentence of discharge with ignominy should be carried out when he has served the sentence of penal servitude awarded at the same time. I have accordingly directed that there be no remission of this soldier's sentence and that he be returned to Canada in custody under sentence in accordance with paragraph 3(a) of H.Q.S. 8535-6 Adm 3(c)3 dated 13 Mar 44. Herewith original proceedings of the above-mentioned FGCM held on 28 Jan 43 and original A.F. A3104 in respect thereof on which I have endorsed my direction.

3314
P. Montague
(P.J. Montague) Major-General
i/c Administration
Canadian Military Headquarters

Encs. 2.