

OFFICER FREED OF CHARGE AT COURT-MARTIAL

Wins Acquittal at Trial of Ill-Treating Soldier

Woodstock, Ont., Aug. 3.—(CP) —Lieut.-Col. N. A. McIntosh, of the Canadian Army Driving and Maintenance School, was acquitted to-day by an army court-martial on a charge of ill-treating a soldier. The court's finding on a second charge of conduct prejudicial to good order in the army was forwarded to military headquarters in Ottawa and will be announced there.

The court's decision was announced by Brig. A. M. Martin, of Toronto, the presiding officer, at the conclusion of a closed sitting of the court this afternoon.

The closed session began after the general court-martial heard argument this morning by W. C. Kerr, of Chatham, counsel for Col. McIntosh, who is a former Windsor resident, and Capt. R. D. Evans, the prosecutor.

The court-martial opened Tuesday and evidence centred around an incident in the officers' mess June 26, when Cpl. W. J. Sillers, assistant steward, refused the officer a drink on the grounds that his liquor quota was used up.

Capt. Evans argued that Col. McIntosh precipitated the scuffle with Sillers and Mr. Kerr held that the colonel was justified in his actions in checking a mess steward for a breach of discipline.

The judge advocate, Major A. S. Fergusson, of London, Ont., commented that "provocation is not a ground for acquittal but may tend to mitigate the crime."

Unless there is an immediate acquittal, the court's findings will not be made public until they have been reviewed at military headquarters in Ottawa.

149
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