

COURT-MARTIAL TRIES CHARGES OF NEGLIGENCE

Fredericton, Jan. 6 (CP).—A general court-martial of three Royal Canadian Army Medical Corps officers opened today with Capt. G. C. Alleyn, formerly of Quebec City, pleading not guilty to a charge of negligence. The proceedings were open to the press and public.

The charge read against Alleyn is that he was negligent in the medical examination of Charles Fraser Smith, Woodside, N.B., on Sept. 14 last; that Smith told him he was suffering diabetes, and that the accused failed to have a further examination made. Smith was passed into the army and died Sept. 17 in the Fredericton Military Hospital.

The other officers involved in the court-martial are Lt.-Col. H. E. Baird, formerly of Chipman, N.B., officer commanding the hospital, and Capt. Ner Littner of Toronto. Alleyn and Littner are attached to No. 7 Military District depot medical staff here. Capt. Alleyn's case is being heard first, and will be followed separately by those of Capt. Littner and Col. Baird, with the entire proceedings possibly extending over a fortnight.

The prosecutor, Capt. Fergusson, claimed before the court today that Smith, a 41-year-old laborer, had been suffering diabetes for 17 years and receiving treatment from qualified doctors.

When Smith was called up for military service last September, said the prosecutor, he brought with him a small quantity of insulin and instruments for self-administration of it. He was examined by Capt. Alleyn. Shortly after his enlistment he became ill, but Capt. Alleyn failed to ascertain if the man actually was suffering diabetes, claimed

the prosecutor.

Mrs. Daisy Smith, sister of the deceased, testified her brother had taken insulin for diabetes and was a hospital patient in 1933. She said she was convinced her brother had died of diabetes.

The courtmartial comprises Col. G. S. Stairs, Montreal; Col. C. M. Edwards, Ottawa; Col. M. R. Marshall, Toronto; Col. H. Buck, Sussex, N.B.; Lt.-Col. H. Strachan, Sussex; Lt.-Col. J. A. Adamson, Saint John, N.B., and Lt.-Col. R. D. MacNeill, Aldershot, N.S.

Major R. O. D. Harvey, assistant judge-advocate-general of Military District No. 2, Toronto, is appearing as judge-advocate.

Defense counsel for the three accused officers is Col. P. Elmer McLaughlin, former St. Stephen, N.B., lawyer, now stationed at Saint John, N.B. P. J. Hughes, K.C., Fredericton, will appear as associate counsel for Col. Baird when the latter's hearing starts.

Lieut. Lester G. Hoar, Saint John, N.B., is acting as assistant to the prosecutor, Capt. A. S. Fergusson, legal officer and permanent prosecutor of Military District No. 1, London, Ont.

149
WAR
EUROPEAN
1939
CANADA
ARMY
MEDICAL
CORPS