SCHEDULE.

PART I. PLEA(S), FINDING(S) AND SENTENCE.

Accused: H 46022 Pte John Harris FAIRCHILD #1 Cdn Repat Dep ot

Charge. (Insert "alternative" where applicable.)	Plea. (See instrs p 2.)	Finding. (See note below.)	(Space for use as required for further charges, accused charged jointly, special findings, etc.)
1st AA Sec 15(1)	Guilty	Guilty	
2nd			
3rd			
4th			
5th			
6th			

(Note: As to findings for lesser offences see AA 56, RP 44; findings on alternative charges see MML p 483 fn 4 para 2, RP 44; special findings see RP 44 and MML p 753, and in loss of kit see RP 44 fn 6.)

~~At present under sentence for ..... beginning on (date)~~ .....(1)

(1. Insert sentence being served, or delete, if not applicable. See RP 46(4). Information should be found on MF B355 or AF B296.)

Time in confinement awaiting present trial—a total of 10 days, of which Nil days were spent in hospital.(2)

(1. See RP 46(4) fn 2. Information should be found on MF B355 or AF B296 admitted in evidence under E2.)

Sentence Awarded by the Court:

~~Nil~~ 150 days detention.

(Sgd) ..... Judge-Advocate, if any. 14 Nov 46 Date awarded. (Sgd) Vincent O'Kenna President. (RP 45, 50.)

(See back of Convening Order as to assembly and disposal of record after trial.)

PART II. MINUTE WHERE CONFIRMATION RESERVED. (AA 54(3), RP 120(F), MML p 760.)

Date ..... (Sgd) ..... Commanding .....

PART III. DECISION OF CONFIRMING OFFR ON FINDING(S) AND SENTENCE.

(For duties and powers see AA 54, 57, RP 37(D) fn 6, 46(A), 51-56, 120, MML pp 759-761, KR Can 567-577. Acquittals require no confirmation and cannot be revised: AA 54(2). Sending back finding or sentence for revision by Court: AA 54(2), RP 120(G). If not confirmed, accused may be tried again: AA 157, MML p 87. Minute of confirmation or non-confirmation may be altered before promulgation: RP 53, MML p 65. Quashing after promulgation: KR Can 573. Duties and powers of reviewing offrs: AA 57, 57A, RP 53A, 54. The Confirming Offr must sign here personally. AA 172 fn 1.)

My decision on the finding(s) and sentence set forth in Part I is:

Confirmed

~~I direct that the accused be not committed to prison or detention barracks until further ordered.~~ (1. AA 57A. Delete if not used.)

(Sgd) W B K Gordon Col

Date 14 Nov 46. Commanding 1 Cdn Repat Depot

Confirming Officer.

PART IV. PROMULGATED AND EXTRACTS TAKEN. (RP 55, KR Can 576, 577.)

Accused.	Date.	Signature of Offr.
H 46022 Pte Fairchild, J.H.	14 Nov 46.	[illegible]

ALL DELETIONS AND ALTERATIONS WILL BE INITIALLED.

RECEIVED NOV 19 1946 BRANCH

RECORDED AT CMHQ IN AB 168 CAO-2-112

FIELD GENERAL COURT-MARTIAL

CFA95 (To Urg of AFA95) 40/F & B 1098 (1944) 4/388

Convened by Order of Col M B K Gordon (DSO)(ED) Comd 1 Cdn Repat Dep dated 14 Nov 46

ACCUSED.

(As to the trial of two or more charged jointly see RP 16, 71, 109. As to reasons for showing (a) permanent or confirmed rank, and (b) appmt, A/rank or A/appmt, if any, see AA 182, 183, fns, KR Can 306, 328, 330.)

Number.	(a) Prmnt R.	(b) Appmt, A/R or A/Appmt.	Full Christian Names.	Surname.	Unit.
H 46022	Pte	-	John Harris	FAIRCHILD	1 Cdn Repat Depot

PROCEEDINGS REVIEWED

22 Nov 46 C.H. Tait, Maj.

REVIEWING OFFICER, JAG BRANCH

PROCEEDINGS OF TRIAL.

Held in the Fd in (country) England on (date(s)) 14 Nov 46

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT.

A1. The President, Members, ~~waiting Member, JA, if any, and Offrs under instr, if any~~, assemble, and the Court is closed.

(PRINTED MATTER, NOT IN ITALICS FOR GUIDANCE, WILL BE DELETED, IF NOT USED OR APPLICABLE, AND INITIALLED BY PRES OR JA. The Schedule referred to throughout is on p 4. Citations do NOT include all relevant fms ROs. For guidance on procedure when a variation in this form arises, see form for GCM in MML pp 741 to 759. A brief record of such variation will be made and given a number having reference to appropriate or preceding para number herein. See back of Convening Order, CF A95 for note, and instrs on how to record addresses, evidence, etc, which instrs are hereafter called "Notes". As to general provisions for conducting the trial see AA 53, RP 36, 63-70, 73, 74, 94, 103, 119, 132.)

A2. The President initials and lays before the Court the Convening Order and Charge Sheet(s) attached thereto.(1) The Court is satisfied that it is properly convened and constituted(2), accused is (are) amenable to military law, and each charge discloses an offence.(3)

(1. As to use of Summary of Evidence see RP 17 fn 6. 2. AA 49, 50, RP 105-107. 3. RP 11-13, 23, 24.)

A3. The Court is opened. The accused is (are) brought before the Court. At 1030 hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is (are) fit to undergo trial by court-martial.(1) ~~The Prosecutor informs the Court that accused elected to be tried by court-martial instead of being dealt with summarily by the CO.(2)~~

(1. KR Can 557. 2. AA 46(8), RP 60 fn 1. For effect see KR Can 563(c). Delete, if not applicable.)

~~A5. President to accused: Do you object to ..... as interpreter? Ans ——~~

~~The Interpreter is sworn.(1) Do you object to ..... as shorthand writer? Ans ——~~

The shorthand writer is sworn.(1)

(1. RP 72. Delete, if none employed.)

A6. The Convening Order and names of the President and Members of the Court are read to the accused.(1) President to accused: Do you object to be tried by me as President or by any of the Members of the Court?

Ans NO - SIR (2)

(1. RP 110. 2. If no objection, waiting member retires. RP 68(8). If objection, see procedure AA 51, RP 25, 71, 18, MML p 742.)

A7. The President, Members, ~~JA, if any, and Offrs under instr, if any~~, are sworn.(1) The following are the ranks, names and units of the offrs comprising the Court, etc:

President	LT-COL	V. McKENNA (CMC)	1 CDN REP DEP
Member	CAPT	G.G. MACKAY	1 CDN REP DEP
Member	LIEUT	J.G. ENGLAND	1 CDN REP DEP
~~Judge-Advocate~~			
Prosecutor	LIEUT	F.G. BIGGS	1 CDN REP DEP
Defending Offr	LIEUT	G.H. ROBERTS	1 CDN REP DEP

Questions by President: Is the Prosecutor a lawyer? Ans NO Is the Defending Offr a lawyer? Ans NO (1)

(1. RP 26, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Com Offr.)
(2. If Pros a lawyer and Def Offr not, trial may be adjourned to an adjournment when RP 26 (2) and fn 2 were not followed. See RP p 82.)

~~A8. The accused H-46022 Pte Fairchild, J.H. before arraignment made(s) (no) (or) plea.~~

(1. If a special plea is made for separate trial on one or more charges (RP 63(2)), 109, or as to the jurisdiction of the Court (RP 24, 25(A), 113), or to bar of trial (RP 26), or as to accused's mental fitness to stand trial (AA 128, RP 57), or by one of several accused charged jointly to be tried separately (RP 16, 71), such plea, the statements made in support or against, the evidence, if any, and finding are recorded per Notes. For forms of record see reference in fns to RoP cited. Insert in AB each and name of the accused making the plea.)

A9. The accused is (are) arraigned (separately) on all charges in the charge sheet.(1) The accused does (do) not object to any charge.(2) There is no amendment to be made to the Charge Sheet.(3) The President records the plea in Part I of the Schedule.

(1. RP 31, 112. See para 1 of Notes p 2. When more than one Charge Sheet see RP 62; when several accused in his trial separately see RP 71(C), and use separate copies of CF A95 to record proceedings. 2. RP 32, RP 33. If otherwise, delete and make appropriate record per Notes.)

A10. The Court (is closed and) considers the Issues on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form B

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.