

SCHEDULE.

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

Accused: B/94215 Sgt Howard Edward WALLACE, 9 Cdn Inf Bde Sp Gp (C.H. of O)

Charge.	Plea.	Finding.	(Space for use as required for further charges, accused charged jointly, special findings, etc.)
(Insert "alternative" where applicable.) 1st AA 19	(See Instrs p 2.) not guilty	(See note below.) 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 of beginning on date (1)

(1. Insert sentence being served, or delete, if not applicable. See RP 46(A). Information should be found on MF 8355 or AF 5296.)

Time in confinement awaiting present trial—a total of 0 days, of which 0 days were spent in hospital. (1)

(1. See RP 46(A) fn 2. Information should be found on MF 8355 or AF 5296 admitted in evidence under E2.)

Sentence Awarded by the Court:

To be severely reprimanded and to forfeit all ordinary pay for a period of seven days

(Sgd) Paul E. Vance 18 Jan 44 (Sgd) P. S. Taylor
Judge-Advocate, if any Word Date awarded. 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(5), 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 739-761, KR Can 567-577. Acquittals require no confirmation and cannot be revised: AA 54(7). 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 64. 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 in detention barracks until further orders (1)

(1. AA 57A. Delete if not used.)

Date 22 Jan 1944 (Sgd) R. S. Morton
Commanding G.O.C. 3rd Cdn Div
Officer

PART IV. PROMULGATED AND EXTRACTS TAKEN. (RP 53, KR Can 576, 577.)

Accused. B/94215 Sgt Howard Edward Wallace Date. 27 Jan 44 Signature of Offr. Roger Gordon Major

ALL DELETIONS AND ALTERATIONS WILL BE INITIALLED.

FIELD GENERAL COURT-MARTIAL

CPAFB (in lieu of AFAB)
40 P & S 1698 (2864)

Convened by Order of Brigadier P. A. S. Todd, Comd 3rd Cdn Div, dated 18 Jan 44

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) appeal, A/Rank or A/Appmt, if any, see AA 182, 183, fns, KR Can 308, 328, 330.)

Number. (a) Prunt R. (b) Appmt, A/R or A/Appmt. Full Christian Names. Surname. Unit.
B/94215 Sgt Howard Edward WALLACE
9 Cdn Inf Bde Sp Gp (C.H. of O)

PROCEEDINGS REVIEWED
REVIEWING OFFICER, JAG BRANCH C.M.H.Q.
Held in the Fd in (country) England on (date) 18 Jan 44

PROCEEDINGS OF TRIAL.

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT.

A1. The President, Members, ~~and the~~ JA, if any, and Offr 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 fnn ROs. For guidance on procedure when a variation in this form arises, see form for CCM 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 495, for oaths 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 56, 63-70, 73, 74, 94, 103, 109, 122.)

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, accused is ~~deemed~~ amenable to military law, and each charge discloses an offence. (1)

(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 ~~now~~ brought before the Court. At 11.30 hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is ~~not~~ 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. (1)

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

A5. President to accused: Do you object to me as interpreter? Yes

Interpreter is sworn. (1) Do you object to me as shorthand writer? Yes
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 (1)
(1. RP 110. 2. If no objection, waiting member retires. RP 68(B). If objection, see procedure AA 51, RP 25, 74, 118, MML p 742.)

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

President	Major	R E K Taylor	9 Cdn Inf Bde Wksp, RCOC
Member	Capt	G M Watts	C.H. of O
Member	Capt	O C Misener	5 FDS RCAMC
Judge-Advocate	Capt	A C Hall	3 Cdn Div
Prosecutor	LT	P E Smallic	C.H. of O
Defending Offr	LT	A Watt	S.O. 5

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 Case Offr.)

(2. If Pres a lawyer and Def Offr not, accused is entitled to an adjournment when RP 89 (B) and fn 2 were not followed. See O1 p 3.)

A8. The accused B/94215 Sgt Wallace, H E before arraignment made(s) no plea (1)

(1. If a special plea is made for separate trial on one or more charges (RP 62(E), 108), or as to the jurisdiction of the Court (RP 34, 35(A), 112), or in bar of trial (RP 26), or as to accused's mental fitness to stand trial (AA 120, RP 57), or by one of several accused charged jointly to be tried separately (RP 16, 71), such plea, the addresses made in support or against, the evidence, if any, and finding are recorded per Notes. For forms of record see references in fns to RP cited. Insert in A8 rank and name of the accused making the plea.)

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

(1. RP 30, 112. See para 1 of Instrs p 2. When more than one Charge Sheet see RP 42: when several accused to be tried separately see RP 71(C), and use separate copies of CF 496 to record proceedings. 2. RP 25, RP 33. If otherwise, delete and make appropriate note, if per Notes.)

A10. The Court is closed and considers the Instrs on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form D.

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.