

SCHEDULE.

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

Accused: B-29509 Spr BRESSETTE AJ 3 Bn RCE

Charge.	Plea.	Finding.
(Insert "alternative" where applicable.)	(See Instrs p 2.)	(See note below.)
1st AA 12(1)(a)	Not Guilty	The Court finds the accused not guilty of
2nd		desertion but guilty of AWL from 1300 hrs
3rd		18 Feb 45 until 2030 hrs 28 Mar 45
4th		(38 days 7 hrs 30 mins)
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.)

Time in confinement awaiting present trial—a total of 39 days, of which 21 days were spent in hospital.

Sentence Awarded by the Court: To undergo detention for a period of (14) fourteen months

(Sgd) 7 May 45 Judge-Advocate, if any. Date awarded. (Sgd) "George B.H. Cox" Major President. (RP 45, 50.)

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 759-761, KR Can 567-577. Acquittals require no confirmation and cannot be revised: AA 54(3). 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

Date 12 May 45

Commanding 3 C.B.R. Gp.

Confirming Officer.

PART IV. PROMULGATED AND EXTRACTS TAKEN. (RP 53, KR Can 516, 577.)

Accused. Date. Signature of Offr.
B-29509 Spr Bressette A.J. 15 May 45 "J. Medhurst" Lt Col
Comdg, 1 Cdn Disciplinary Centre

ALL DELETIONS AND ALTERATIONS WILL BE INITIALED.

CERTIFIED TRUE COPY

FIELD GENERAL COURT-MARTIAL

Convened by Order of Brig J.S.H. Lind

Comd 3 CBRG

dated 2 May 45

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) appoint, A/R or A/Appmt, if any, see AA 182, 183, fn 3, KR Can 308, 328, 330.)

Number. (a) Prmt R. (b) Appmt, A/R or A/Appmt. Full Christian Names. Surname. Unit.
B-29509 Spr Arthur John BRESSETTE RCE

PROCEEDINGS OF TRIAL.

Held in the Fd in (country) Belgium on (date(s)) 7 May 45

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT. 31/42

A1. The President, Members, ~~adding the names of the President and Members of the Court~~ assembly, and the Court is closed.

(PRINTED MATTER, NOT IN ITALICS FOR GUIDANCE, WILL BE DELETED, IF NOT USED OR APPLICABLE AND INITIALED BY PRES OR JA. The Schedule referred to throughout is on p 4. Citations do NOT include all relevant from 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 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, 119, 132.)

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

(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 brought before the Court. At 1635 hours trial commences. The Prosecutor produces a Medical Certificate that accused is fit to undergo trial by court-martial.

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

A4. The President to ~~be read to the accused the charges and the names of the President and Members of the Court~~ 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. RP 110. 2. If no objection, waiting member retires. RP 68(B). If objection, see procedure AA 51, RP 23, 71, 18, MML p 742.)

A7. The President, Members, ~~adding the names of the President and Members of the Court~~ The following are the ranks, names and units of the offrs comprising the Court, etc:

President Major G.B.H. Cox CAC att 1 Cdn Dis Centre
Member Captain P.J. Poulin RCA att 1 Cdn Dis Centre
Member Lieut A.J. Thompson CIC 2 CBR Bn

Judge-Advocate

Prosecutor Captain R.J.I. Miles att 1 Cdn Dis Centre
Defending Offr Captain G.T. Clarke RCA att 1 Cdn Dis Centre

Questions by President: Is the Prosecutor a lawyer? Ans. No. Is the Defending Offr a lawyer? Ans. Yes.

(1. RP 26, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Conv Offr.)

(2. If Pros a lawyer and Def Offr not, accused is entitled to an adjournment when RP 89 (B) and fn 2 were not followed. See D1 p 3.)

A8. The accused B-29509 Spr Bressette A.J. before arraignment make(s) (no) plea

(1. If a special plea is made for separate trial on one or more charges (RP 42(E), 108), or as to the jurisdiction of the Court (RP 24, 35(A), 113), or in bar of trial (RP 36), or as to accused's mental fitness to stand trial (AA 130, RP 275, or evidence, if any, and finding are recorded per Notes. For forms of record see references in fn 1 to R/P cited. Insert in A8 rank and name of the accused making the plea.)

A9. The accused is arraigned on all charges in the charge sheet. The accused does not object to any charge. There is no amendment to be made to the Charge Sheet. The President records the pleas in Part I of the Schedule.

(1. RP 21, 112. See para 1 of Instrs p 2. When more than one Charge Sheet see RP 62; when several accused to be tried separately see RP 71(C), and use separate copies of CF A96 to record proceedings. 2. RP 32, RP 13. If otherwise, delete and make appropriate record per Notes.)

A10. The Court 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.