

FIELD GENERAL COURT-MARTIAL

CFM (in lieu of AFM) 10/1/54 1008/2064

4M-127

Convened by Order of Major General ELM Burns, Commanding Officer, Cdn Sec GHQ, 14 Dec 44
ACCUSED: 1 Bch 21 Army Gp

(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/rank or A/appoint, if any, see AA 182, 183, Ins, KR Can 300, 320, 320c.)
Number: (a) Prmt R. (b) Appnt, A/R or A/Appnt. Full Christian Names: Surname: Unit:
E-14207 Pte Paul Emile Giroux 18 Bch Amb
Cdn Sec GHQ 2 Fch 21 Army Gp
D J A., Brussels Garrison
PROCEEDINGS OF TRIAL

Held in the Fd in (country) Belgium on (date(s)) 17 Dec 44

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT.

A1. The President, Members, ~~waiting Member, JA, if any, and D/Os 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 fine NOs. For guidance on procedure when a variation in this form arises, see form for GCM in MML pp 741 to 759. A brief recap of such variation will be made and given a number having reference to appropriate or preceding para number hereto. See back of Convening Order, CF A96, for notes and instr on how to record addresses, evidence, etc, which notes 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(s) attached thereto. (P) The Court is satisfied that it is properly convened and constituted, accused is (are) amenable to military law, and each charge discloses an offence. (P)

(1. As to use of Summary of Evidence see RP 17 (a) 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 1450 hours trial commences.

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

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

A5. President to accused: Do you object to J.M. LAMARCHE as interpreter? Ans NO
The Interpreter is sworn. (P) Do you object to [redacted] as shorthand writer? Ans NO

(1. RP 72. Delete, if name employed.)

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

Ans NO (P)
(1. RP 110. 2. If no objection, waiting member retires. RP 68(B). If objection, see procedure AA 51, RP 25, 71, 1E, MML p 742.)

A7. The President, Members, JA, if any, and D/Os under instr, if any, are sworn. (P) The following are the ranks, names and units of the officers comprising the Court, etc:

President	Major	A.C. Kavanagh	Com of Can
Member	Capt	H. Howard	10 CER Bn
Member	Lieut	M. Lamarche	10 CER Bn
Judge-Advocate			
Prosecutor	Lieut	J.J.H. Connors	RCAMC
Defending Offr	Lieut	A.T. Mann	11 CER Bn

Questions by President: Is the Prosecutor a lawyer? Ans NO. Is the Defending Offr a lawyer? Ans NO. (P)
(1. RP 26, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Com 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 Def p 23.)

A8. The accused before arraignment make(s) plea(s) (P)

(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 36), or as to accused's mental fitness to stand trial (AA 12E, 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 fn to Ref cited. Insert in AB rank and name of the accused making the plea.)

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

(1. RP 31, 112. See para 1 of instr p 2. When cases that see Charge Sheet see RP 62; when accused allowed to be tried separately see RP 71(C), and one separate copies of CF A96 to record proceedings. 2. RP 21, RP 23. If others, notes and make appropriate record 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 B C D E.

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.