

# FIELD GENERAL COURT-MARTIAL

CPAGS (to lieu of SPAS)  
40 P & S 1081  
4388

Convened by Order of **Brig G W TARTLETON DSO MC**

Comd Brussels Gm. dated **24 Sep 63**

## 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 and (b) apptt, A/R or A/Apmt, if any, see AA 182, 183, (ins, KR Can 308, 328, 330).

Number. (a) Print R. (b) Apptt, A/R or A/Apmt. Full Christian Names. Surname. Unit.

**D 59372** Pte **Gaston DAIGNEAULT** Regt de Chaud  
att Cdn Sec HQ  
Brussels Gm

PROCEEDINGS REVIEWED

*R Liversmore*  
176ct 45 Capt

REVIEWING OFFICER, JAG

## PROCEEDINGS OF TRIAL.

Held in the F2 in (country) **BELGIUM** on (date(s)) **26 SEP 63**

## RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT.

A1. The President, Members, waiting Member, JA, if any, and Officer 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 INITIALED BY PRES OR JA. The Schedule referred to throughout is on p 4. Cautions do NOT include all relevant provisions. 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 A13, for oaths and inns on how to record addresses, evidence, etc, which inns 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. (1) The Court is satisfied that it is properly convened and constituted (2), accused is (3) amenable to military law, and each charge discloses an offence. (2)

(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 (4) brought before the Court. At **1100** hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is (5) fit to undergo trial by court-martial (1) ~~the President informs the Court that accused elected to be tried by court-martial instead of being dealt with summarily by the CCM~~ (2)

(1. KR Can 557. 2. AA 46(8), RP 60 fn 1. For effect see KR Can 56(3). Delete, if not applicable.

A5. President to accused: Do you object to **Mark Little Lang - Brussels** as interpreter? Ans **No Sir**

The Interpreter is sworn. (1) ~~Do you object to~~ **SL** as shorthand writer? Ans **No Sir**

(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, 13, MML p 742.)

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

President	<b>MAJOR J GENDRON</b>	<b>R de Chaud att Cdn Sec HQ Brussels</b>
Member	<b>CAPT R C MERRYWEATHER</b>	<b>RQAC att Cdn Sec HQ Brussels</b>
Member	<b>LIEUT E F FORD</b>	<b>Cdn Sec HQ Brussels Gm</b>
Judge-Advocate	<b>MAJOR G H JERMON</b>	<b>DJA HQ 2 CERGp</b>
Prosecutor	<b>Capt M. Ranscan</b>	<b>1 Cdn Court-Martial Section</b>
Defending Offr	<b>Capt D.B. Trechzig</b>	<b>1 Cdn Court-Martial Section</b>

Questions by President: Is the Prosecutor a lawyer? Ans **YES** Is the Defending Offr a lawyer? Ans **YES**

(1. RP 26, 27, 109, 111. List of ofrs under instr will be returned separately with proceedings for information of Cmt Offr.)  
(2. If Pres a lawyer and Def Offr not, accused is entitled to an adjournment when RP 89 (a) and (b) were not followed. See Di p 3.)

A8. The accused **D 59372 Pte Gaston DAIGNEAULT** before arraignment make(s) (no) plea

(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), 113), or in bar of trial (RP 36), or as to accused's mental fitness to stand trial (AA 130, 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 ins to Ref chad. Insert in AB rank and name of the accused making the plea.)

A9. The accused is arraigned (1) on all charges in the charge sheet. (2) The accused does not object to any charge. (3) There is no amendment to be made to the Charge Sheet. (4) The President records the pleas in Part I of the Schedule.

(1. RP 31, 112. See para 1 of instr 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 12. If otherwise, delete and make appropriate record per Notes.)

A10. The Court ~~is~~ considers the inns on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form **D. R. E.**

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.

*cd. Sec HQ Brussels*  
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