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(D.M. Owen) Capt.
Cdn Sec GHQ 2 Ech AAI

49-25

CPA#6 (1 Dec 44 of AFA21)
AFP 26 8716/68 (10-61)

FIELD GENERAL COURT-MARTIAL

4 CDN RFT BN 4/38B

Convened by Order of LT COL L.J. FLYNN Comd 1 CBRGp dated 1 NOV 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) appmt, A/rank or A/appmt, if any, see AA 182, 183, fns, KR Can 308, 328, 330.)

Number.	(a) Prmnt R. (b) Appmt, A/R or A/Appmt.	Full Christian Names.	Surname.	Unit.
B134823	PRIVATE	JAMES	KEETING	4 CDN RFT BN 1 CBR Gp

PROCEEDINGS REVIEWED
"W P Taylor" Major
1 Dec 44 DJA
CDN SEC GHQ 2 ECH AAI

PROCEEDINGS OF TRIAL.

Held in the Fd in (*country*) ITALY on (*date*) "SHB" 11 NOV 44

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT. 2E-73

A1. The President, Members, [illegible] "SHB", 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 fmn RDs. 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 895, 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 52, 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 [X] attached thereto.(1) The Court is satisfied that it is properly convened and constituted(2), accused is [XX] "SHB" amenable to military law, and each charge discloses an offence.(3)

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

A3. The Court is opened. The accused is [XX] brought before the Court at 1130 "SHB" hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is [XX] fit to undergo trial by court-martial.(1) [illegible] "SHB"

(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 shorthand writer.~~

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

~~The Interpreter 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, [illegible] "SHB" are sworn.(1) The following are the ranks, names and units of the offrs comprising the Court, etc:

President	CAPT	S.H. BLAKE (RCA)	4 CDN RFT BN
Member	CAPT	A.W.F.E. WILSON	4 CDN RFT BN
Member	LIEUT	M. MARTIN	4 CDN RFT BN
Judge-Advocate		NIL	
Prosecutor	CAPT	R.R. BROWN	4 CDN RFT BN
Defending Offr	LIEUT	M.P. O'NEIL	4 CDN RFT BN

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

(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 (8) and fn 2 were not followed. See Di 8.1)

A8. The accused B134823 Pte J.KEETING "SHB" before arraignment make(s) (no) [X] plea. "SHB"(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), 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 fns to RoP cited. Insert in A8 rank and name of the accused making the plea.)

A9. The accused is [XX] arraigned (separately) on all charges in the charge sheet.(1) The accused does [XX] "SHB" not object to any charge.(2) There is no amendment to be made to the Charge Sheet.(2) [illegible] "SHB"

(1. RP 31, 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 896 to record proceedings. 2. RP 32, RP 33. If otherwise, delete and make appropriate record per Notes.) "SHB"

A10. The Court [illegible] considers the Instrs on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form "B" and "E"

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.

"SHB" SCHEDULE. "SHB"

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

Accused: [illegible] B134823 PRIVATE James KEETING

	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.)

[illegible] "SHB" (1)

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

Time in confinement awaiting present trial—a total of 17 days, of which Nil days were spent in hospital.(1)

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

Sentence Awarded by the Court:

To undergo detention for nine (9) months.

(Sgd) Judge-Advocate, if any. 11 Nov 44 Date awarded. (Sgd) "S H Blake Capt" 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 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 137, 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

[illegible] "TGG"
(1. AA 57A. Delete if not used.)

Date 17 Nov 44 (Sgd) "T G Gibson" Brig
COMMANDER
Commanding 1 CDN BASE RFT GROUP
Confirming Officer.

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

Accused.	Date.	Signature of Offr.
B134823 Pte KEETING, J. H & P E Regt (4 CBRBn)	21 Nov 44	"J A Salcom Lieut" Adjutant 2 Cdn Reallocation Centre.

ALL DELETIONS AND ALTERATIONS WILL BE INITIALLED.