

D 143

SCHEDULE

Number, Rank (a), Name and Unit of Accused (b)	Offence charged	*Plea	Finding, and if Convicted, Sentence (c)	How dealt with Confirming Officer
645685 Gunner ATHERTON, Joseph Richard - 1 Cdn. 4 Tr Regt	First Charge Sec 8(2) & 1	Not Guilty	NOT Guilty	Confined - Sentence limited to 60 days F.I. 60 days pay.
	Second Charge Sec 19 1A	Guilty	Guilty 60 Days F.I. and 60 days pay fine \$20.00	<i>Matthews</i> (A Bruce Matthews) Brigadier C S & 1 Cdn D
428570 Gunner FAIRBAIRN, Elton William - 1 Cdn. 4 Tr Regt	First Charge Sec 40 & 1	Not Guilty	Guilty 60 Days F.I. and 60 days pay stoppage of pay 70 Days By Feb 1944 To be put under stoppage of pay until he has paid the sum of \$100.00 in respect of W.D. debts	Confined - Sentence limited to 60 days F.I. and 60 days pay stoppage of pay 70 Days By Feb 1944 To be put under stoppage of pay until he has paid the sum of \$100.00 in respect of W.D. debts <i>Matthews</i> (A Bruce Matthews) Brigadier C S & 1 Cdn D

\* Question to be asked of accused, if he pleads not guilty (R. of P. 20 (a) 1):  
"Do you plead not guilty to the offence charged, and do you have any defence to be put forward?"  
If the accused pleads not guilty, the following questions shall be asked:  
(a) Do you have any defence to be put forward?  
(b) Do you have any witnesses to call?  
(c) Do you have any evidence to offer?  
(d) Do you have any legal points to raise?  
(e) Do you have any other matters to raise?  
If the accused pleads guilty, the following questions shall be asked:  
(a) Do you have any defence to be put forward?  
(b) Do you have any witnesses to call?  
(c) Do you have any evidence to offer?  
(d) Do you have any legal points to raise?  
(e) Do you have any other matters to raise?  
If the accused pleads not guilty and is found guilty, the following questions shall be asked:  
(a) Do you have any defence to be put forward?  
(b) Do you have any witnesses to call?  
(c) Do you have any evidence to offer?  
(d) Do you have any legal points to raise?  
(e) Do you have any other matters to raise?  
If the accused pleads guilty and is found guilty, the following questions shall be asked:  
(a) Do you have any defence to be put forward?  
(b) Do you have any witnesses to call?  
(c) Do you have any evidence to offer?  
(d) Do you have any legal points to raise?  
(e) Do you have any other matters to raise?

(a) Agreement asking such or asking appointment, if any, to be asked in brackets after the immediately next.  
(b) Unless unavoidable, not less than three names are to be entered on one line, and in correct order on only.  
(c) Recommendation to mercy, if any, to be inserted in this column. Initials are sufficient.  
(d) It is not necessary that the Confirming Officer should sign his name in this column. Initials are sufficient.  
(e) It is not necessary that the Confirming Officer should sign on the first page, and all alterations in the first line should be clearly indicated by lines.

Use and Charge Sheets (if necessary) to be filled here.

I certify that the above Court assembled on the TWENTY-FOUR<sup>th</sup> day of FEBRUARY 1944, and duly tried the persons named in the Schedule, and that the plea, finding, and sentence in the case of each such person were as stated in the third and fourth columns of that Schedule.

I also certify that:-

1. The members of the Court
2. The witnesses

were duly sworn.  
Signed this 24<sup>th</sup> day of February 1944.  
*Matthews*  
President of the Court Martial.

I certify that the terms of A.C.I. 570 of 1918 have been complied with.  
Signed this 24<sup>th</sup> day of February 1944.  
*Matthews*  
President of the Court Martial.

I have dealt with the findings and sentences in the manner stated in the last column of the Schedule, and, subject to what I have there stated, I hereby confirm the above findings and sentences.

Signed this 27<sup>th</sup> day of February 1944.  
*Matthews*  
Confirming Officer  
(A Bruce Matthews) Brigadier  
C S & 1 Cdn D

Photographed and extracts taken in the case of G 29570  
(Dated) 29 February 1944 (Signed) *White*  
Photographed and extracts taken in the case of R 29570  
(Dated) 29 February 1944 (Signed) *White*  
Photographed and extracts taken in the case of  
(Dated) \_\_\_\_\_ (Signed) \_\_\_\_\_

When several cases are photographed in one unit on the same day the Officer need only sign once.