

SCHEDULE.

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

Accused: B-52197 Pte William Charles TOWNSEND, HLI of C, 9 Bn, 2 CBRG

Charge.	Plea.	Finding.	(Space for use as required for further charges, accused charged jointly, special findings, etc.)
(Insert "alternative" where applicable.)	(See Instrs p 2.)	(See note below.)	
1st <i>R. W. L.</i>	<i>Guilty</i>	<i>Guilty</i>	
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 45 and MML p 483 fn 4 para 2, RP 44 (n 6).)

At present *under detention for a period of 180 days and to be put under stoppage of pay until he has made good the sum of 19 Nine Shillings in respect of costs of apprehension and return to the unit*

Sentence Awarded by the Court: *To undergo detention for a period of 180 days and to be put under stoppage of pay until he has made good the sum of 19 Nine Shillings in respect of costs of apprehension and return to the unit*

(Sgd) *E. E. Pearman Capt.* 16 May 44 (Sgd) *W. H. Chate* President. (RP 45, 80.)
Judge-Advocate, if any. Date awarded. President. (RP 45, 80.)
(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) (n 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 57, MML p 64. Minutes 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

I direct that the accused be not committed to prison or detention barracks until further order.

(Sgd) *W. H. Chate* Commanding 2 CBRG
Date 17 May 44 Confirming Officer.

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

Accused. Date. Signature of Offr.

B52197 Pte. 18 May 44
William Charles TOWNSEND
9 Bn, 2 CBRG.

ALL DELETIONS AND ALTERATIONS WILL BE INITIALED.

FIELD GENERAL COURT-MARTIAL



Convened by Order of Brig G Francoeur

Comd 2 CBRG

dated 16 May 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) appoint, A/Rank or A/Appmt, if any, see AA 182, 183, fns, KR Can 308, 328, 330.)

Number. (a) Pmt R. (b) Appmt, A/R or A/Appmt. Full Christian Names. Surname.

B-52197

Pte

William

TOWNSEND

PROCEEDINGS REVIEWED 24 May 44

Charles

R. Dean Miller Capt.

PROCEEDINGS OF TRIAL.

VIEWING OFFICER, JAG BRANCH

Held in the Fd in (country) ENGLAND

on (date(s)) 16 May 44

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT. 6/125

A1. The President, Members, waiting Member, JA, and Offrs 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. Citations do NOT include all relevant fn R01. 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 1055 hours trial commences.

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

(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 K-70650 Cpl Davie as shorthand writer? Ans No Sir. The shorthand writer is sworn.

(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. 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.

(1. RP 110. 2. If no objection, waiting member retires. RP 68(b). If objection, see procedure AA 51, RP 25, 71, 118, MML p 742.)

A7. The President, Members, JA, and Offrs under instr, if any, are sworn. The following are the ranks, names and units of the offrs comprising the Court, etc:

President	Major	E W THOMAS	RHC, 11 CBR Bn
Member	Capt	P LESSARD	R de Chaud, 9 CBR Bn
Member	Lieut	R M ALLAN	RCA, 9 CBR Bn
Judge-Advocate	Capt	E E PEARLMAN,	ADJA HQ 2 CBRG
Prosecutor	Capt	J H CAMPBELL	8 Recce, 9 CBR Bn
Defending Offr	Lieut	N H CHATE	Cams of C, 9 CBR Bn

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

(1. RP 26, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Conv 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 D1 p 3.)

A8. The accused B-52197 Pte TOWNSEND W C before arraignment make(s) plea Guilty.

(1. If a special plea is made for separate trial on one or more charges (RP 62(E), 106), 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 120, 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 RP 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 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 A96 to record proceedings. 2. RP 32, RP 33. 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 B.

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.