

# FIELD GENERAL COURT-MARTIAL

CFMAG (10 Dec 67 AFM3)  
30 P A R 1008 (2064)

4m-127

Convened by Order of Major General ELM Burns, Comd GIC Cdn Sec HQ, dated 14 Dec 64  
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 confinement, rank, and (b) appoint, A/rank or A/appmt, if any, see AA 182, 183, 183, fin, KR Can 309, 328, 330.)

Number. (a) Prant R. (b) Appmt, A/R or A/Appmt. Full Christian Names. Surname. Unit. Grade. Branch. Army Gp

E-14207 Pte Paul Emile Giroux 18 Bch 21 Army Gp  
*continued from copy*  
*of 4m-127*  
 D J A., HCMB Garrison  
 Cdn Sec. GHQ 2 Feb 21 Arr

## PROCEEDINGS OF TRIAL.

Held in the Fd in (country) Belgium on (date(s)) 17 Dec 64

### RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT.

A1. The President, Members, ~~witness~~ Members, JA, if any, 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 FREE OR JA. The Schedule referred to throughout is on p 4. "Crosses" do NOT include all relevant form Nos. For guidance on procedure when a variation in this form arises, see form for CGM in MAM pp 741 to 759. A brief record of such variations will be maintained by the number having reference to appropriate or preceding para number herein. See book of Convening Order, RP 16, 71, 109, and instr 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(s) attached thereto.<sup>(1)</sup> The Court is satisfied that it is properly convened and constituted<sup>(2)</sup>, accused is (are) amenable to military law, and each charge discloses an offence.<sup>(3)</sup>

(1. As to use of Summary of Evidence see RP 17 fo 6. 2. AA 49, 50, RP 105-107. 3. RP 11-13, 23, 24.)

A3. The Court is opened. The accused is ~~present~~ brought before the Court. At 1450 hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is ~~not~~ fit to undergo trial by court-martial.<sup>(1)</sup> The Prosecutor informs the Court that accused elected to be tried by court-martial instead of being dealt with summarily by the CO.<sup>(2)</sup>

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

A5. President to accused: Do you object to J. H. LAMARCHE as interpreter? Ans NO

The interpreter is sworn.<sup>(1)</sup> Do you object to J. H. LAMARCHE as shorthand writer? Ans NO

A6. The Convening Order and names of the President and Members of the Court are read to the accused.<sup>(1)</sup> President to accused: Do you object to be tried by me as President or by any of the Members of the Court?

Ans NO.<sup>(2)</sup>

(1. RP 110. 2. If no objection, witness member retires. RP 68(B). If objection, see procedure AA 51, RP 25, 71, 96, 98C, p 742.)

A7. The President, Members, JA, if any, and Offrs under instr, if any, are sworn.<sup>(1)</sup> The following are the ranks, names and units of the offrs comprising the Court, etc.

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

Questions by President: Is the Prosecutor a lawyer? Ans NO. Is the Defending Offr a lawyer? Ans NO.<sup>(1)</sup>

(1. RP 24, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Comd Gp.)

(2. If Pres a lawyer and Def Offr not, accused is entitled to an adjournment when RP 69 (B) and fo 2 were not followed. See Df p 3.)

A8. The accused ~~pleads~~ before arraignment make(s) no plea.<sup>(1)</sup>

(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 12, 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 findings are recorded per Notes. For forms of record see references in fo 1 to RP cited. Insert in AB each and name of the accused making the plea.)

A9. The accused is ~~not~~ arraigned (separately) on all charges in the charge sheet.<sup>(1)</sup> The accused does ~~not~~ not object to any charge.<sup>(2)</sup> There is no amendment to be made to the Charge Sheet.<sup>(3)</sup> The President records the plea in Part 1 of the Schedule.

(1. RP 21, 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 86 to record proceedings. 2. RP 31, RP 32. If otherwise, submit 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 FCDE.

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.