

Entered as No. 4700 in the Record of Courts-Martial kept in the office of the Judge Advocate General on the 15th day of June 1945

SCHEDULE.

Plea(S), Finding(S) and Sentence.

Accused: 414277 Pte Ambrose Francis Abbot (Army List) / 1st Coy 11

| Charge. | Plea. | Finding. | (Space for use as required for further charges, accused charged for special findings, etc.) |
|-----------------|------------|------------|---|
| 1st AA 41 | Not guilty | Not guilty | |
| 2nd AA 40 (air) | Not guilty | Guilty | |
| 3rd AA 41 | Not guilty | Guilty | |
| 4th AA 40 (air) | Not guilty | Not guilty | |
| 5th AA 41 | Not guilty | Guilty | |
| 6th AA 40 (air) | Not guilty | Not guilty | |

(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 3b 6.)

At present under sentence for 12 months (2 yrs)
 (1. Insert sentence being served, or delete, if not applicable. See RP 44(A). Information should be found on MF B355 or AF B296.)
 Time in confinement awaiting present trial—a total of 29 days, of which 0 days were spent in hospital.
 (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: Dismissed with charges
Dismissed with charges for 5 years and to be discharged with ignominy from the Army Service Corps
 (Sgd) Baroness Major 17 June 45 (Sgd) L. M. D. O. P.
 Judge-Advocate, if any. (Sgd) 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)

Minute of finding and sentence for Confirmation
 Date 17 June 45 (Sgd) L. M. D. O. P. Commanding Officer 2nd Coy 11

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 confirmation and cannot be revised: AA 54(3). Sending back finding or sentence for revision by Court: AA 54(2), RP 120(C). If not confirmed, accused may be tried again: AA 137, MML p 84. Minute of confirmation or non-confirmation may be altered before promulgation: RP 53, MML p 85. Quashing after promulgation: KR Can 572. 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 ordered.
 (1. AA 57A, 57B, 57C, 57D, 57E, 57F, 57G, 57H, 57I, 57J, 57K, 57L, 57M, 57N, 57O, 57P, 57Q, 57R, 57S, 57T, 57U, 57V, 57W, 57X, 57Y, 57Z, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.)
 Date 6 July 45 (Sgd) H. D. C. (Sgd) General
 Commanding GOC in C Tank Cdn Army
 Confirming Officer.

PART IV. PROMULGATED AND EXTRACTS TAKEN. (RP 52, KR Can 576, 577)

Accused: P. F. Abbot Date: 15 Jul 45 Signature of Offr: Ambridge

ALL DELETIONS AND ALTERATIONS WILL BE INITIALED.

FIELD GENERAL COURT-MARTIAL

Order of Lt. Col. E. W. Henslow Comd 1st Coy 11 dated 11 June 45

ACCUSED.

Number: 414277 (a) Prmtn R. (b) Apmnt, A/R or A/Apmnt. Full Christian Names: Ambrose Francis Abbot Surname: Abbot Unit: 1st Coy 11

PROCEEDINGS REVIEWED

REVIEWING OFFICER, JAG BRANCH C.M.H. W. M. J. (Sgd) W. M. J.
 Held at 1st Coy 11 in (country) India

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT. 33/139.

A1. The President, Members, waiting Member, J.A., 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 PRES OR JA. The Schedule referred to throughout is on p 4. Clauses 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 A95, for notes and instrs on how to record addresses, evidence, etc, which instrs are hereinafter called "Notes". As to general provisions for conducting the trial see AA 53, RP 56, 62-70, 73, 74, 94, 103, 118, 122.)

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) The accused is (a) amenable to military law, and each charge discloses an offence. (3)

(1. As to use of Summary of Evidence see RP 17 fn 6. 2. AA 49, 50, RP 105-107. 3. RP 11-12, 23, 24.)

A3. The Court is opened. The accused is (a) brought before the Court. At 1000 hours trial commences. (1) The Prosecutor produces a Medical Certificate that accused is (a) fit to undergo trial by court-martial. (1) The President to accused: Do you object to be tried by court-martial instead of being dealt with summarily by the O.C.M.?

(1. KR Can 137. 2. AA 46(B), RP 60 fn 1. For effect see KR Can 56(2)(b). Delete, if not applicable.)

A4. The Interpreter is sworn. (1) The short-hand writer 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) The President to accused: Do you object to be tried by me as President or by any of the Members of the Court?

Ans No. (1) (1. RP 110. 2. If no objection, writing member retires. RP 68(B). If objection, see procedure AA 51, RP 25, 73, 118, MML p 742.)

A7. The President, Members, J.A., if any, and Offrs under instr, if any, are sworn. (1) The following are the ranks, names and units of the offrs comprising the Court, etc:

| | | | |
|----------------|-----------------|-----------------------|---------------------------|
| President | <u>Lt. Col.</u> | <u>H. W. Henslow</u> | <u>1st Coy 11</u> |
| Member | <u>Major</u> | <u>R. F. Army</u> | <u>R.H.C.</u> |
| Member | <u>Major</u> | <u>D. M. Rogers</u> | <u>Commanding Officer</u> |
| Judge-Advocate | <u>Major</u> | <u>Reston</u> | <u>1st Coy 11</u> |
| Prosecutor | <u>Lt.</u> | <u>K. G. Campbell</u> | <u>1st Coy 11</u> |
| Defending Offr | <u>Capt.</u> | <u>N. S. Hess</u> | <u>R.H.C.</u> |

Questions by President: Is the Prosecutor a lawyer? Ans No. Is the Defending Offr a lawyer? Ans Yes. (1)

(1. RP 28, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Case Offr.) (2. If Pres a lawyer and Def Offr not, accused is entitled to an adjournment when RP 29 (8) and fn 2 was not followed. See Df p 3.)

A8. The accused before arraignment makes (no) plea. (1)

(1. If a special plea is made for separate trial on one or more charges (RP 102), 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 132, RP 57), or by one of several accused charged jointly to be tried separately (RP 12, 7), 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 fn 1 to RP cited. Insert in AG rank and name of the accused making the plea.)

A9. The accused is (a) arraigned (separately) on all charges in the charge sheet. (1) 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 42; when several accused to be tried separately see RP 71(C), and see 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 is closed and considers the instrs on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form D

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.

W. M. J. 15 Jul 45