

FIELD GENERAL COURT-MARTIAL

4/388
4/388

SCHEDULE.

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

Accused:

Charge.	Plea.	Finding.	(Space for use as required for further charges, accused charged jointly, special findings, etc.)
(Insert "alternative" where applicable)	(See Instr p 2)	(See Note below)	
1st 41	Guilty	Guilty	
2nd 40	Guilty	Guilty	
3rd 10	Guilty	Guilty	
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 733, and in loss of kit see RP 44 fn 6.)

At present under sentence for _____ beginning on (date) _____ (1)
(1. Insert sentence being served, or delete, if not applicable. See RP 46(A). Information should be found on MF 8355 or AF 8296.)
Time in confinement awaiting present trial—a total of _____ days, of which _____ days were spent in hospital. (1)
(1. See RP 46(A) fn 2. Information should be found on MF 8355 or AF 8296 admitted in evidence under E2.)
Sentence Awarded by the Court:

To undergo six (6) months detention

(Sgd) _____ 26 Jan 45 (Sgd) _____ Major
Judge-Advocate, if any. Date awarded. 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(S), 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 27(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 57, 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:

CONFIRM

~~I declare that the accused has not been committed to prison or detention outside the limits of the order(s) NIMS~~
(1. AA 57A. Delete if not used.)

(Sgd) _____ Major
Date 26 JAN 45 Officer i/c Canadian Section
Commanding _____ 1 Noh HQ 21 A Op
Confirming Officer.

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

Accused. Date. Signature of Offr.
D.141949 Pte Rymard, H.O. 26 Jan 45 (Sgd) A.H. H...
Promulgated
CR 87 dated 26 Jan 45 (Brussels) Inc Cdr Sec 1 Noh HQ 21 A Op

ALL DELETIONS AND ALTERATIONS WILL BE INITIALED.

Convened by Order of Maj Gen R.L.M. BURNS Comd Cdr Sec 1 Noh HQ 21 A Op dated 17 JAN 45

ACCUSED. 1 Noh HQ 21 A Op

(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/R or A/Appmt, if any, see AA 182, 183, fn, KR Can 308, 328, 330.)

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

D.141949 Pte Hugh Cameron RYMARD: Scotia
CERTIFIED TRUE COPY
Scottia
Inc Cdr
Brussels
Carrison

PROCEEDINGS OF TRIAL.

Held in the Pd in (country) _____ on (date(s)) 20 JAN 45

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT.

A1. The President, Members, waiting Member, JA, and the prosecuting officer, 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 fnn ROs. 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 495, for rules 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(s) attached thereto. (1) The Court is satisfied that it is properly convened and constituted, accused is/amenable to military law, and each charge discloses an offence. (1)

(1. As to use of Summary of Evidence see RP 17 fn 6. 2. AA 49, 50, RP 103-107. 3. RP 11-13, 23, 24.)

A3. The Court is opened. The accused is brought before the Court. At 0900 hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is/has to undergo trial by court-martial. (1) ~~THE PROSECUTOR OF THE COURT HAS PRODUCED A MEDICAL CERTIFICATE THAT THE ACCUSED IS TO BE TRIED BY COURT-MARTIAL INSTEAD OF BEING TRIED BY THE EO. (1)~~

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

A5. The accused is sworn. (1) ~~THE ACCUSED IS SWORN BY THE PROSECUTOR.~~

(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. (1)

(1. RP 110. 2. If no objection, waiting member retires. RP 66(B). If objection, see procedure AA 51, RP 25, 71, 18, MML p 742.)

A7. The President, Members, JA, and the prosecuting officer, if any, are sworn. (1) The following are the ranks, names and units of the offrs comprising the Court, etc:

President	Major	G.L. MacDONOUGHALL	CAC 9 CDR Bn
Member	Capt	S. RY	CIC 11 CDR Bn
Member	Lieut	E. OUILLET	CIC 10 CDR Bn
Judge-Advocate			
Prosecutor	Lieut	J.J. H. CONORS	RCMC - Cdr S.C. Brussels CARR
Defending Offr	Lieut	P. LAPOUD	CIC 10 CDR Bn

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

(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 85 (B) and fn 2 were not followed. See OI p 3.)

A8. The accused _____ before arraignment make(s) (no.) plea(s) _____ (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 fn to RP cited. Insert in AR rank and name of the accused making the plea.)

A9. The accused is/are arraigned separately on all charges in the charge sheet. (1) The accused does/does not object to any charge. (1) There is no amendment to be made to the Charge Sheet. (1) 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 496 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.

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