

SCHEDULE.

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

Accused: **K 48798 Pte. Howell R.S. Comm 2 C.**

Charge.	Plea.	Finding.	
(Insert "alternative" where applicable.)	(See Instrs p 2.)	(See note below.)	(Space for use as required for further charges, accused charged jointly, special findings, etc.)
1st	Guilty	Guilty	
2nd			
3rd			
4th			
5th			
6th			

(Note: As to findings for lesser offenses see AA 56, RP 44; findings on alternative charges see MNL p 482 in 4 para 2, RP 44; special findings see RP 44 and MNL p 753, and in last of kit see RP 44 in 6.)

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 B355 or AF B296.)
Time in confinement awaiting present trial—a total of **0** days, of which **0** days were spent in hospital. (1)
(1. See RP 46(A) in 2. Information should be found on MF B355 or AF B296 admitted in evidence under E2.)
Sentence awarded by the Court: **to undergo Detention for 90 days.**
(Sgd) **E. K. McDermott** **30 Nov 44** (Sgd) **R. H. Kepler**
Judge-Advocate, if any (Sgd) 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(5), RP 120(F), MNL p 760.)

Date _____ (Sgd) _____ Convening

PART III. DECISION OF CONFIRMING OFFR ON FINDING(S) AND SENTENCE.

(For duties and powers see AA 54, 57, RP 37(D) in 4, 44(A), 51-56, 120, MNL pp 759-761, RA 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 157, MNL p 64. Minute of confirmation or non-confirmation may be altered before promulgation: RP 53, MNL p 65. Quashing after promulgation: RA Can 573. Duties and powers of retaining offrs: AA 57, 57A, RP 53A, 54. The Confirming Offr must sign here personally. AA 172 in 1.)

My decision on the finding(s) and sentence set forth in Part I is:

Confirmed

I dissent that the accused be and committed to prison or detention barracks until further orders. (1)
(1. AA 57A. Delete if not used.)

Date **1 Dec 44** (Sgd) **R. H. Kepler**
Commanding **6th Inf Co**
Confirming Officer.

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

Accused. Date. Signature of Offr.

K 48798
Pte Howell R.S.
2 Dec 44
2nd Lt Capt 9 Adj
Cameras of C.

ALL DELETIONS AND ALTERATIONS WILL BE INITIALED.

FIELD GENERAL COURT-MARTIAL

Convened at _____ of **Brig. R. H. Kepler** Comd **6 C.I.B.** dated **20 Nov 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/appoint, if any, see AA 182, 183, fns, RA Can 308, 328, 330.)

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

K 48798 Pte. Robert Gordon Howell

PROCEEDINGS REVIEWED 19 Dec 44

PROCEEDINGS OF TRIAL

Held in the Fd in (country) **Holland** on (date(s)) **30 Nov 44**

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT. 14106

A1. The President, Members, waiting Member, 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 PRES OR JA. The Schedule referred to throughout is on p 4. Citations do NOT include all relevant fns. For guidance on procedure when a variation in this form arises, see form for GCM in MNL pp 741 to 759. A brief record of such variation will be made and given a number having reference to appropriate or preceding page number herein. See back of Convening Order, CF 495, for notes 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 (1) attached thereto. (1) The Court is satisfied that it is properly convened and constituted (2), accused is (3) amenable to military law, and (4) each charge discloses an offense. (2)

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

A3. The Court is opened. The accused is (4) brought before the Court. At **1045** hours trial commences. (4)

A4. The Prosecutor produces a Medical Certificate that accused is (5) fit to undergo trial by court-martial. (1) The Prosecutor informs the Court that accused elected to be tried by court-martial instead of being dealt with summarily by the Cdr. (2) **SAH**

(1. RA Can 557. 2. AA 44(8), RP 60 in 1. For effect see RA Can 563(c). Delete, if not applicable.)

A5. President to accused: Do you object to _____ as interpreter? **Ans** **No**
The interpreter is sworn: (1) Do you object to _____ as shorthand writer? **Ans** **No**
(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** (2)
(1. RP 110. 2. If no objection, waiting member retires. RP 66(B). If objection, see procedure AA 51, RP 25, 71, 18, MNL p 742.)

A7. The President, Members, JA, 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	Major J. E. Thibault	Fus MR
Member	Lt. N. M. Clyde	S Smith R
Member	Lt. R. A. Martin	Fus MR
Judge-Advocate	Capt. E. K. McDermott	1st Bde 1st Div
Prosecutor	Capt. F. W. A. Glossop	Comm C
Defending Offr	Lt. E. A. Lewis	Comm 1 C

Questions by President: Is the Prosecutor a lawyer? **Ans** **No** Is the Defending Offr a lawyer? **Ans** **No** (2)

(1. RP 24, 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 in 2 were not followed. See D1 p 2.)

A8. The accused **K 48798 Pte. Howell, R.S.** before arraignment make(s) (1a) (b) plea (2a) (2)

(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 24, 25(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 or 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 returned per Notes. For forms of record see references in fns to RP cited. Attach to RA rank and name of the accused making the plea.)

A9. The accused is (3a) arraigned (separately) on all charges in the charge sheet. (1) The accused does (2a) (2b) (2c) not object to any charge. (2) There is no amendment to be made to the Charge Sheet. (3) The President records the plea 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 495 to record proceedings. 2. RP 32, RP 33. If otherwise, delete and make appropriate record per Notes.)

A10. The Court (3a) (3b) (3c) 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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