

SCHEDULE.

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

Accused: **E-0226 Gnr Peters, H. - 1 CARU**

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 AA Sec 15(1)	Guilty	Guilty	
2nd			
3rd			
4th			
5th			
6th			

(Note: As to findings for lesser offences see AA 36, 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 fn 6.)

Is sent under sentence for: (1. Insert sentence being served, or delete, if not applicable. See 46(A). If sentence should be found on MF 500 or AP 500, P.

Time in confinement awaiting present trial--a total of **34** days, of which **21** days were spent in hospital. (1. See RP 46(A) fn 2. Information should be found on MF 8355 or MF 8296 admitted in evidence under E2.)

Sentence Awarded by the Court:

For a period of six months and to be put under stoppages of pay until he has made good 75-0-9 the repairs of his arms and return 31 Mar 44

Judge-Advocate, if any. Date awarded. (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(3), 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) 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 157, MML p 64. Minute of confirmation or non-confirmation may be altered before promulgation: RP 53, MML p 85. 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 sent committed to prison or detention barracks until further orders. (1. AA 57A. Delete if not used.)

Date **1 Apr 44** (Sgd) Commanding **CONFIRMING OFFR**

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

Accused. Date. Signature of Offr.

E-0226 Gnr. Peters, H. 1 Apr 44 **ADM OFFR** **MAJOR**

ALL DELETIONS AND ALTERATIONS WILL BE INITIALLED. CARU

FIELD GENERAL COURT-MARTIAL

Convened by Order of **Col B.R. Ker, ED** A/Comd "C" Gp, CRU dated **30 Mar 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/ppoint, if any, see AA 182, 183, fns, KR Can 308, 328, 330.)

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

PROCEEDINGS REVIEWED

is accurate

E-0226 Gnr **Howard PETERS** **1 CARU**

REVIEWING OFFICER, JAG BRANCH C.M.H.Q.

PROCEEDINGS OF TRIAL.

Held in the Fd in (country) **England** on (date) **31 Mar 44**

RECORD FORM A--OPENING PROCEEDINGS AND ARRAIGNMENT.

A1. The President, Members, waiting Member, JA, if any, and Offrs under instrs, 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 occurs, see form for GCM, 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 485, for auths 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 23, RP 56, 63-70, 73, 74, 94, 103, 119, 122.)

A2. The President initials and lays before the Court the Convening Order and Charge Sheet (attached thereto) (1) and certifies that it is properly convened and constituted (2), 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 11-13, 23, 24.)

A3. The Court is opened. The accused is (a) brought before the Court. At **1130** hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is (a) 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 G.O. (2)

(1. KR Can 55. 2. AA 46(8), RP 60 fn 1. For effect see KR Can 56(3). Delete, if not applicable.)

A5. President to accused. Do you object to **as interpreted** and

The interpreter is sworn (1). Do you object to **as shorthand writer** and

The shorthand writer is sworn (2).

(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 **Yes** (1. RP 110. 2. If no objection, waiting member retires. RP 68(8). If objection, see procedure AA 51, RP 25, 71, 18, MML p 742.)

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

President **Col B.R. Ker**

Member **Capt. J. R. Peterson**

Member **Capt. J. R. Peterson**

Judge-Advocate **Capt. J. R. Peterson**

Prosecutor **Capt. J. R. Peterson**

Defending Offr **Capt. J. R. Peterson**

Questions by President: Is the Prosecutor a lawyer? Ans **Yes**. Is the Defending Offr a lawyer? Ans **Yes**.

(1. RP 26, 27, 109, 111. List of offrs under instrs will be returned separately with proceedings for information of Court 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 2.)

A8. The accused before arraignment makes (a) plea

(1)

(2. If a special plea is made for separate trial on one or more charges (RP 62(2), 68E), or as to the jurisdiction of the Court (RP 34, 35A), 112, or as to the 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 11, 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 (1). The accused does (a) not object to any charge (2). There is no amendment to be made to the Charge Sheet (2). The President records the pleas in Part I of the Schedule.

(1. RP 21, 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 486 to record proceedings. 2. RP 32, RP 33. If otherwise, delete and make appropriate record per Notes.)

A10. The Court is closed and considers (a) Notes on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.