

FIELD GENERAL COURT-MARTIAL

CFAR6 (In lieu of AFAR)
40/P&A/1097 (2048)

(Whether the accused to be tried is under his comd or not, a FGCM may an application to him be convened by any offr of Cdn Army Overseas, or of any other force if authorized in law, in immediate comd of troops on active service, subject to RP 105(C) and restrictions imposed by appropriate authy. AA 49, 50, RP 104-107, 114. As to the duties and privileges of the Convening Offr in dealing with the application see MML Chap V paras 20 and 23, RP 87(B).

There should be a separate Convening Order for each person to be tried separately by the same Court. RP 71(C), 109. As to separate charge sheets see RP 62, and as to separate trial on charges in the same charge sheet see RP 108. As to two or more accused charged jointly see RP 16, 109. As to reasons for showing (a) permanent or confirmed rank, and (b) appmt, A/rank or A/appmt, if any, see AA 182, 183, fns, KR Can 308, 328, 330.)

ACCUSED.

Number.	(a) Prmnt R.	(b) Appmt, A/R or A/Appmt.	Full Christian Names.	Surname.	Unit.
E-73846	Pte		Malcolm Nicholas	Lee	1st Cdn Para Bn, CA

CONVENING ORDER.

1. Whereas complaint has been made to me, the undersigned, that the person ~~XX~~ named above as the accused, being subject to military law, has ~~been~~ committed the offence(s) set forth in the Charge Sheet ~~XX~~ attached and on ~~this~~ this date endorsed by me, ~~(and by an offr of my staff for my use)~~ "To be tried by Field General Court-Martial".

2. And whereas I am of opinion that it is not practicable that such offence(s) should be tried by an ordinary General Court-Martial; ~~and that it is not practicable to convene a court-martial for reasons specified in RP 108~~
(Delete part in brackets when not required for compliance with RP 105(C).)

3. I hereby convene a Field General Court-Martial to try the said person ~~XX~~, and to consist of the Offrs appointed or detailed hereunder.

~~I do hereby appoint (a) the following Offrs to form the court, (b) a 1st Offr as President for the court and to have a 1st Offr as Judge Advocate for the court.~~
(AA 49, RP 106(B), 107(A). Delete the whole or part, if not applicable.)

~~I do also appoint as Judge Advocate the following Offr named in the number.~~
(RP 106(E). Delete, if none appointed.)

PRESIDENT.

Lt-col	F. D. Tweedie	Carleton & York
(Rank)	(Must be named. RP 106.)	Regt (Unit) HQ CRU

MEMBERS.

Lieut	M. Cote	1 Cdn Para Bn
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Lieut	R. J. Mitchell	1 Cdn Para Bn
(Rank)	(Named or detailed. RP 106.)	(Unit)

WAITING MEMBER.

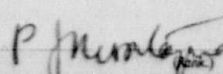
Lieut	G. H. McDonald	1 Cdn Para Bn
(Rank)	(Named or detailed, if any. RP 106.)	(Unit)

JUDGE ADVOCATE

On Active Service in the Fd

in England
(Country)

Date 3 Nov 43


 (P. J. Montague) Major-General
 Senior Officer
 Canadian Military Headquarters
 Convening Officer.

CONVENING OFFR WILL INITIAL ALL DELETIONS AND ALTERATIONS

(See overleaf for oaths and notes for use on trial.)

F. D. J.
 15 Nov 43
 P. J. Montague
 M. Cote

Major-General
 Senior Officer
 Convening Officer
 NOV 1943