

FIELD GENERAL COURT-MARTIAL

CFASG (In lieu of AFAS)
40/P&M/107 (2002)

(Whether the accused to be tried is under his command or not, a FGCM may on application to him be convened by any officer of Cdn Army Overseas, or of any other force if authorized in law, in immediate command of troops on active service, subject to RP 105(C) and restrictions imposed by appropriate authority AA 49, 50, RP 104-107, 114. As to the duties and privileges of the Convening Officer 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, 326, 330.)

ACCUSED.

Number.	(a) Prmnt R.	(b) Appmt, A/R or A/Appmt.	Full Christian Names.	Surname.	Unit.
E-64789	Pte		Gerald	SMYTHE	4 C.I.B.V. R.H.L.I.

CONVENING ORDER.

1. Whereas complaint has been made to me, the undersigned, that the person(s) named above as the accused, being subject to military law, has (have) committed the offence(s) set forth in the Charge Sheet(s) attached and on (date) 25 OCT 45, endorsed by me, ~~for by an officer of my staff for my~~ "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 delay the trial for reference to a superior qualified officer~~ ^{RP 2}

3. I hereby convene a Field General Court-Martial to try the said person(s) and to consist of the Officers appointed or detailed hereunder.

4. I am unable to appoint (a) three Officers to form the Court, (b) a Field Officer as President, for the reasons I have attached hereto. ^{RP 2} (AA 49, RP 106(B), 107(A). Delete the whole or part, if not applicable.)

5. I also appoint as Judge-Advocate ~~the Officer mentioned hereunder~~ ^{RP 2} ~~(RP 106(E). Delete, if none appointed.)~~

PRESIDENT.

F. D. Tweedie
(Must be named. RP 106.)

Carl H. York R.
(Unit)

MEMBERS.

Lt-col.
(Rank.)

to be detailed by C.O.

3 C.I.B.V.

A Captain
(Rank.)

to be detailed by C.O.
(Named or detailed. RP 106.)

7 C.I.B.V.
(Unit)

A Lieutenant
(Rank.)

WAITING MEMBER.

(Named or detailed, if any. RP 106.)

(Unit.)

JUDGE-ADVOCATE.

(Rank.)

(Must be named, if any. RP 106.)

(Unit.)

On Active Service in the Fd

in England
(Country)

Date 26 OCT 1945.

J. A. M. Interest Colonel.
(Signed personally. RP 105 (a) 2)
a/Commanding "D" Group, Cdn Rft Units.
Convening Officer.

CONVENING OFFICER WILL INITIAL ALL DELETIONS AND ALTERATIONS
(See overleaf for notes and notes for use on trial.)

*F.O. 1.
270345*