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FIELD GENERAL COURT MARTIAL, GDSMN SWIFT SEPT. 1943

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785015

HEADQUARTERS MILITARY GOVERNMENT SCHOOL APO 512

the

19 September 1943

Subject: Field General Court Martial.

 A Court Martial has been convened by orders of Brigadier H. S. Pinder, C.B.E., M.C. for the purpose of trying 2737599 Guardsman Swift. P. and any other persons brought before the court.

To be held in British Headquarter Company Office M.G.S. at 0900 hours on Tuesday 21 September 1943.

2. The following officers are appointed as Members of the Court:-

President: Major N. Douglas-Stephenson. M.C. Loyal Regiment.

Members : T/Captain E. G. Twoedle. Cheshire Regiment.

: T/Captain E. G. R. Oates. Royal Welch Fusiliers.

Waiting

Member. : Captain R. M. Ponder. Lincolnshire Regiment.

The following officer is appointed as prosecutor:-

Lieut. L. P. Coling. R.A.

The following officer is appointed as defending officer:-

Major. R. G. S. Alexander. K.O.S.B.

- 3. A senior serjeant will be detailed by O.C. "HQ" Coy. as court orderly.
- 4. O.C. "HQ" Coy will arrange for the British Headquarter Coy Office to be ready for the F.G.C.M. and also for the necessary stationery for use of the court. Accommodation outside the Court Room will be required for the witnesses. A Military Policeman will be detailed to maintein quiet outside in the vicinity of the Court.

LAWRENCE E. KEARIN, 1st Lt., Infantry, Adjutant.

Subject : - F.G.C.H. - Guardenum Swift P.

ASC/ROS/1.

Licut. I.P. Coling. Prosecuting Officer.

1. The following is the charge against the accused above mentioned.

QUARGE.

THAT IS TO SAY, STEALING

Section 41

IN THAT IIS

in the Field on 7 dep. 43 stole a package of tobacco and a torch, the propert of Colonel J.E. Weber, United States Army.

Please admoviledge.

Field,

19 Jep. 43.

Lt.-Col. D.S. Aitken,

Declassified E.O. 12356 Section 3.3/NND 785015 CONFIDENTIAL SUBJECT :- F.G.C.H. Assistant Commandant, Military Government School & Holding Centre 2737599 Gdsnm SWIPT P 1. Original and one copy of the Summary of Evidence are returned herewith, one copy having been retained for the use of the Convening Officer. The trial will be held Tuesday 21 Sep at a time to be fixed by you. The President, Hajor M. Douglas-Stephenson, MC. Loyal Regt, will report to you on Monday 20 Sep, and will bring the Convening Order. A Captain and a Lieutenant will be detailed by you as members of the Court. Prosecuting and Defending Officers will be detailed by you. A Senior NCO will be detailed by you to act as Court Orderly ... Mall, KRs, 'Green Book' and necessary stationery will be provided by you for the use of the Court. 8. The charge will be exactly as stated in Algiers Area Legal Staff minute JAG/AA/1040 dated 14 Sep 43. CHF ALGIERS AREA Copy to:- Major N. Douglas-Stephenson MC 980

FOR SPECIAL ORDERS PLHASE.

Subject: Field Concral Court Martial.

1. A Court Martial has been convened by orders of Brigadier H.S. Pinder, C.B.E., M.C. for the purpose of trying 2737599 Guardamen Swift.P. and any other persons brought before the court.

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Members : T/Captain E.

n E.G. Tweedle.

Checking Regiment.

: 1/Captain

E.G.P. Onten.

Royal Jolon Austliers.

Waiting

Monber.

Captain R.H. Ponder.

Lincolnshire Regiment.

The following officer is appointed as prosecutor:-

Liout.

L.P.Coling.

R.A.

The following officer is appointed as defending officer:-

Hajor. R.G.S.Alemnder. K.O.S.B.

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Mold.

18 dep 43.

- DAH

Ancistant Commandant.

subject : - Trial by M.G.C.M. of 2737599 Guardanan Swift P.

ADD/ADDI/1.

dout. L.P. Coling, resecuting Officer.

You are hereby detailed to attend as Prosecuting Officer the Court lartial Proceedings to be held at British "eadquesters Company Office Control) at 0900 hrs on Tuosday 21 Sep. 43.

You are not permitted to leave the gost dring the 24 hours preceeding the 'rial.

The attacked acknowledgement should be signed and returned to this

Please separ to Cass. Commentant de som as possible for fuelon hipmastrie

Meld, 8 sep. 43.

> Lt.-Col. D.B. Aitken, Assistant Commandant.

I certify I have been warmed to attend as Prosecuting Officer at the rial of 2737599 Guardaman Swift P. at 0900 hrs on Tuesday 21 Sep. 43 to be held at British Head warters Company Office (Central).

)ate.....

Signed.....

Subject: - | bers of Court Fartial.

A30/PGON/1

Captain R.M. Ponder Lincolnshire Regt.

Please note you are hereby detailed as a waiting member of a court martial to be held on Tuesday 21 Map 43 at 0900 hours at the Headquarters British Company Office (Central).

Flold.

17 Sep 43.

ACKNOWLEDGE.

Lt. Col D. B. Aithon, Assistent Commendant.

SUBJECT:- Members of Court Hertial.

Assistant Commandant.

Your memo ASC/FGCM/1 dated 17 Sep 43 received and admowledged herewith please.

Field.

17 Sep 43.

31gned_

Captain R.M. Ponder.

Subject: - " jal by F.G.C.M. of 2737599 Guardsman Swift.P.

ASC/FGCM/1

R.S.M. J.D. Young.

You are hereby detailed to attend as a witness the court martial proceedings to be held at British Headquarters Company Office (Central) at 0900 hours on Tuesday 21 Sep 43.

You are not permitted to leave the post during the 24 hours preneeding the trial.

The attached acknowledgement should be signed and returned to this office.

Field.

17 Sep 43.

TOA

Lt.-Col D. B. Aitken, Assistant Commandant.

I certify I have been warned to attend as a witness at the trial of 2737599 Guardsman Swift.P. at 0900 hours on Tuesday 21 Sep 43 to be held at British Headquarter Company Office (Central).

Date....

Signed.......

Pa Brown Tempray file Guardsman Swift Have you the copy of Corcing letter forwarding this Lemmany of Endera? 975

785015 Declassified E.O. 12356 Section 3.3/NND CONFIDENTIAL. 2737599, Gdem P. SWIFT, Welsh Guards., Att: Military Government School and Holding Centre. I enclose the papers today received in this case from the Assistant Commandant, Military Government School and Holding Centre under reference BGGG/12 dated 11 September 1943. In my opinion the evidence justifies the accused being brought to trial by Field General Court Martial on the following charge: WHEN ON ACTIVE SERVICE COMMITTING A CIVIL OFFERDE, THAT IS TO SAY, SPEALING in that he in the field on 7 September 1943 stole a package of tobacco and a torch, the property of Colonel J.K. Weber, United States Army. The evidence as contained in the summary is quite In presenting this case the presecutor should bear in mind the doctrine of recent possession. Vide paragraph 66 on page 124. of the Manual of Military Law, 1929. I think that this is a case where the permanent president should be appointed to preside over the court. An officer of this department will be detailed to prosecute if you so desire but it is probable that there are at the School a number of officers who are fully competent to conduct the case for the prosecution. I understand that the Assistant Commandant has already spoken to your D. A. A.G. in the matter and pointed out as Colonel Weber may be leaving this Area in the near future it is essential that any trial which may be ordered shall take place as soon as possible. Assistant Commandant states that he is prepared to visit Algiers in This is of course not necessary and order to sign the charge cheet. the charge may properly be inserted in column 2 on page 2 of the Army /Form.

Commander

Charge

Section 41

2.

in order.

Army Act.

Form A.J., no formal large sheet being required.

Carlotte Admin D. Com Park man according to the

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CANON ACTIONS USED INVESTIGATION

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FIELD. 14 September 1943 RWM/NIC. . Call to apprell to the All De Call

Major. Legal Staff. AIGIERS AREA.

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HEADQUARTERS
MILITARY GOVERNMENT SCHOOL
APO 512

19 September 1943

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To be held in British Headquarter Company Office M.G.S. at 0900 hours on Tuesday 21 September 1943.

2. The following officers are appointed as Members of the Court:-

President: Major N. Douglas-Stephenson. M.C. Loyal Regiment.

Loyal Regiment.

Members : T/Captain E. G. Tweedle. Cheshire Regiment. : T/Captain E. G. R. Oates. Royal Welch Fuyi7fers.

Waiting

Member. : Captain R. M. Ponder.

Lincolnshire Regiment.

The following officer is appointed as prosecutor:-

Lieut. L. P. Coling.

R.A.

The following officer is appointed as defending officer:-

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- 3. A senior serjeant will be detailed by O.C. "HQ" Coy. as court orderly.
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LAWRENCE E. KELRIN, 1st Lt., Infantry, Adjutant.

I certify I to been warned to attend as Defending Officer at the trial of 2737599 Guardenan Swift.P. at 0900 hours a Tuesday 24 Sep 45 to be held at British Headquarter Company Office (central).

Date. 18-9-43

SUBJECT: - Memi s of Court Martial.

Assistant Commandant.

Your memo ASC/FGCM/1 dated 17 Sep 43 received and acknowledged herewith please.

Field.

17 Sep 43.

Signed KM andway

Captain R.M. Ponder.

I certify I have been warned to attend as a witness at the trial of 2737599 Guardsman Swift.P. at 0900 hours on Tuesday 21 Sep 43 to be held at British Headquarter Company Office (Central).

Date. 17/9/43.

Bigned. T. Bone de.

I certify I have been warned to attend as Prosecuting Officer at the t. 11 of 2737599 (Pardsman Swift P. at 0900 hrs on Tuesday 21 Sep. 43 to be held at Bri ah Headquarters Company Office (Intral).

Date . 18 September 1943

Signed SASSLY STRA

SUBJECT:) Mem is of Court Martial.

Assistant Commandant.

Your memo ASC/FCCM/1 dated 17 Sep 43 received and acknowledged

herewith please.

Field.

17 Sep 43.

Signed WORDates 67

Captain W.G.R. Oates.

ASSISTANTO COMMUNICANT.

CNOWLEDGE.

Subject: - Members of Court Martial.

Assistant Commandant.

Your memo ASC/FGCM/1 dated 17 Sep 43 received and acknowledged herewith please.

Field.

17 Sep 43.

Signed

Captain E. G. Tweedle.

785015

HEADQUARTERS MILITARY GOVERNMENT SCHOOL APO 512

19 September 1943

Subject: Field General Court Martial.

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Waiting

Member. : Captain R. M. Ponder. Lincolnshire Regiment.

The following officer is appointed as prosecutor:-

Lieut. L. P. Coling. R.A.

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LAWRENCE E. KEARIN.

1st Lt., Infantry,

Adjutant.

FOR SPECIAL ORDERS PLEASE.

Subject: Field General Court Martial.

1. A Court Martial has been convened by orders of Brigadier N.S. Pinder, C.B.E., M.C. for the purpose of trying 2737599 Guardsman Swift.P. and any other persons brought before the court.

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The following officer is appointed as prosecutor:-

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Field.

18 Jep 43.

J.B. Cecken Har

Lt.-Col D. B. Aitken, Assistant Commandant.

Subject : - F.G.C.M. - Guardsman Swift P.

ASC/FGCH/1.

Lieut. L.P. Coling, Prosecuting Officer.

1. The following is the charge against the accused above mentioned.

IN THAT HE

CHARGE.

MHEN ON ACTIVE S RVICE COMMITTING A CIVIL OFFENCE, THAT IS TO SAY, STEALING

Section 41 Army Act.

in the Field on 7 Sep. 43 stole a package of tobacco and a torch, the proper of Colonel J.K. Ceber, United States Army.

2. Please acknowledge.

Field,

19 Bep. 43.

DID aut Res Hool.

Lt.-Col. D.B. Aitken, Assistant Commundant.

Confidential

Capt. Moyle, O.C. "Hi" Coy British, M.G.S.

ABC/FOCH/1

Subject:- F.G.C.N. No. 2737599 Quardissan Swift.F.

A.F. B296 is not required in case prisoner is aquitted in open court.

Instead the procedutor will produce the original 122 to be handed into court and will testify that it belongs to the accused.

He will also give ovidence as follows:-

- (a) Prisoners ago in years and days.
- (b) Prisoners length of service in years and days.
- (c) Longth of time in open and close arrest.

In the Field.

18 dep 43.

SBauken Hoof

Lt. -Col.D. B. Aitken, Assistant Commandant.

953

Copy to Lieut. Coling. (Prosecutor)

It is requested he will obtain the above information from O.C. "He" Coy.

Subject:- F.G.C.M. - 2737599 Guardeman Swift.P.

AUC/FGCL/1

Major R. G. J. Alexander, Kings Own Scottish Borderers.

The following is the charge against the accused above mentioned.

Charge

MEN ON ACTIVE SERVICE CONSITING A CIVIL OFFICE,

Section 41

THAT IS TO SAY, STEALING IN THAT HE

Army Act.

in the field on 7 Sep 43 stole a package of tobacco and a torch, the property of Colonel J.K. Weber, United States Army.

Please Acknowledge.

Field.

18 Sep 43.

Lt.-Col D. B. Aitken,

Assistant Commandant.

Subject : - Trial by F.G.C.M. of 2737599 Guardsman Swift P.

ASC/FCCM/1.

Lieut. L.P. Coling, Prosecuting Officer.

You are hereby detailed to attend as Prosecuting Officer the Court Martial Proceedings to be held at British Headquarters Company Office (Central) at 0900 hrs on Tuesday 21 Sep. 43.

You are not permitted to leave the post during the 24 hours preceeding the trial.

The attached acknowledgement should be signed and returned to this office.

Please deput to as Commont as som as

Field, 18 Sep. 43. ST.

\$15 aukentlos

Lt.-Col. D.B. Aitken, Assistant Commandant.

I certify I have been warned to attend as Prosecuting Officer at the trial of 2737599 Guardsman Swift P. at 0900 hrs on Tuesday 21 Sep. 43 to be held at British Head warters Company Office (Central).

Date.....

Signed....

Subject: - Members of Court Martiel.

ASC/FGOM/1

Captain R.M.Pondor Lincolnshire Regt.

Please note you are hereby detailed as a waiting member of a court mortial to be held on Tuesday 21 dep 43 at 0900 hours at the Headquarters British Company Office (Central).

Field.

17 Sep 43.

ACKNOWLEDGE.

DB aute Hot

Lt.-Col D. B. Aithen, Assistant Commandant.

SUBJECT: - Members of Court Martial.

Assistant Commandant.

Your memo ASC/FGCM/1 dated 17 Sep 43 received and admowledged 950

Field.

17 Sep 43.

Signed

Captain R.M. Ponder.

Subject: - Trial by F.G.C.M. of 2737599 Guardsman Swift.P.

ASC/FGOM/1

Major R.G.S.Alexander, K.O.S.B. Defending Officer.

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17 Sep 43

Do Cul Ren Hart

Lt.-Col D. B. Aitken, Assistant Commandant.

959

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Date.

Signed.....

Sphject:- Members of Court Martial.

ASC/FGCM/1

958

Capt. W. G. R. Oates.

Please note you are hereby detailed as a waiting member of a court martial to be held on Tuesday 21 Sep 43 at 0900 hours at the Headquarters British Company Office (Central).

Field.	DE Culken Ha
17 Sep 43.	Lt, -Col. D. B. Aitken, Assistant Commandant.
	ABBLOGICA COLLECTION
ACKNOWLEDGR.	

SUBJECT: > Members of Court Mential.

Assistant Commandant.

Your memo ASC/FCCM/1 dated 17 Sep 43 received and acknowledged herewith please.

Field.	3igned_
17 Sep 43.	Captain V.G.R.Oates.

1 4 9 8