

*All printed matter not applicable to the particular Court being held should be struck out and initialed by the President.

A

****Form of Proceedings for ~~General and~~ District Courts-Martial**

Proceedings of a District Court-Martial held at the Court Room, Camp Borden on the 21st day of October 1942 by order of Brigadier A. C. Spencer, E.D. ~~Commanding~~ ^{Pres} Commander, Camp Borden, Ont. dated the 15th day of October 1942.

J.M. D.M.A.

President.
Major L. W. M. Adams,
A-19 Royal Canadian Army Service Corps (Advanced) T.C., C.A.
Members.

Captain A. T. McNabb,
26th Canadian Army Tank Regiment (G&SF) C.A.

Captain A. G. Phelan
A-8 Canadian Armoured Corps (Advanced) T.C., C.A.

Major F. M. Reid,
45th (Res) (Norfolk) Field Regiment R.C.A., C.A., Headquarters, Military District No. 2, Judge Advocate.

Trial of* M-56996, Tpr. David Keith MONTGOMERY, C.A.C., attached A-9 C.A.C. (A) T.C., C.A.

The order convening the Court, the charge-sheet and the summary ~~of evidence~~ ^{of evidence} are laid before the Court.

~~The Court satisfy themselves that~~ ^{Pres} ~~is not available~~ ^{is not available} ~~to serve owing to~~

~~waiting member takes his place as a member of the Court.~~

The Court satisfy themselves as provided by Rules of Procedure 22 and 23. x

The accused is brought before the Court.

Prosecutor,† 2/Lieutenant J. S. Kilgour, A-9 C.A.C. (A) T.C., C.A.

~~Counsel~~ ^{Pres} or defending officer‡ Captain E. G. Vance, A-9 C.A.C. (A) T.C., C.A.

At 10.50 o'clock the Trial commences.

dated 20 OCT 42, detailing Pros. and Def. Off. is signed by the President, and attached to the proceedings. The order convening the Court is read, and is marked "X"; Pt. 1 Order No. 246 (CAC) (A) TC. CA marked "X1", signed by the Pres. and attached to proceedings. The names of the President and members of the Court are read over in the hearing of the accused, and they severally answer to their names.

Q.1 Question by the President to the accused. Do you object to be tried by me as President, or by any of the officers whose names you have heard read over?

A.1 Answer by accused. No sir.

(NB.—If objection is made it should be recorded, together with the decision of the Court, on a separate sheet.)

* Here insert No., Rank, full Name, Regiment, and Appointment (if any).

† Here state Rank and Name, and Regiment (if any).

‡ Qualification to be stated.

(1)

I have satisfied myself that none of the Officers detailed as members of this court have previously served upon any Court of Inquiry respecting the matters forming the subject of the charge before this Court-Martial.

Major J. W. Adams
PRESIDENT. D.C.