

## F.G.C.M. IN THE CASE OF

G 53351 Cfn CHAPMAN, L.G., 1 COMERU

18 SEP 1944

EVIDENCE FOR THE PROSECUTION

D-3

1st WITNESS FOR THE PROSECUTION

Lt P.P. MILLER, on strength No 1 COMERU, having been duly sworn states:

I see Cfn Chapman, L.G. here this morning, I recognize him as the accused, he is sitting there (pointing at the accused). I was the Orderly Officer at 1 COMERU on the date of an alleged offence committed by the accused, it was a week ago today. The accused was paraded to me to enquire about his trades-pay. That was about 1300 hours, I found out that he was proceeding on attachment to 1 Sub Wksp where he expected to work at his trade, and he told me he was not getting trades-pay and would not get it at No 1 Sub Wksp. In his presence I phoned the pay office and the records office to make enquires as to whether or not it was possible for him to get trades-pay. As a result of these phone calls I told the accused that it was impossible for him to draw trades pay, I then made a full explanation of the trades-pay situation as simply as I could. He was not satisfied with my explanation and demanded to see someone in a higher authority. There was no other officer present and in his presence I phoned the Adjt, Capt Lunau, and explained the situation fully to him, as a result of this phone conversation I told the accused that there was absolutely nothing further that could be done for him at the moment. And that if he felt he had a grievance he could take it up at his new unit, I then told him that he must proceed with his draft immediately. He stated that he would not, he then left the office and went out in front of the building. I came out a few moments later and we waited for the veh to arrive, I then told the accused that he must proceed with the draft and he said he would not till the matter was settled and I explained that I would give him a direct order and that if he did not obey it I would place him on a charge. I asked him if he understood what I would have to do, he said he did and I then ordered him directly to get into the veh. He said he would not, I was about to place him under close arrest when an officer who was moving with the draft, Lt Learmonth, came around and asked me if he could help. He spoke to the accused and tried to explain the situation to him and offered to take up the matter as soon as they got to the new unit. The accused again stated that he would not proceed until the matter was settled, it had to be settled then and there. I then turned the accused over to the orderly sgt to be placed in the guard room, the accused did not get on the truck and go with the draft as I had ordered him to do, just before Lt Learmonth appeared and spoke to us.

## CROSS EXAMINATION BY THE DEFENDING OFFICER

I did not know Cfn Chapman before the time he was paraded to me on this day, when I called the records office and the pay office I spoke to the sgt in charge of trades pay at the pay office and Cpl Heinrich who is in charge of the records office. I was completely satisfied by the replies and explanations they gave me. I know the situation quite thoroughly and knew there was no question about it. Lt Learmonth appeared after I had given the accused the order to get on the truck and accompany the draft, he did not appear while I was ordering the accused to get on the truck, I had done that and was waiting for him to comply with my order, I was about to order the orderly sgt to take the accused away to the guard room when Lt Learmonth arrived. Lt Learmonth asked me if I minded him speaking to the accused, I replied that I had not the slightest objection, the conversation took place close by but I do not recall what it was, I didn't pay much attention to what was said. I did hear Lt Learmonth ask the

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