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CASE - CP

B.55651 Sapper Harry, MYERS -- 4 Cdn Repat Depot

The accused explained that at the time of his first arrest by the Metropolitan Police at 11 p.m. the 15 Mar 46 he was wearing a borrowed great coat bearing Corporal's stripes and that was the reason he was shown as a Cpl in the Certificate of Apprehension.

FIRST CHARACTER WITNESS FOR THE ACCUSED

V.55691 Sgt Pearo, M. - "A" Wing, 4 Cdn Repat Depot, sworn, states:-

- Q. What is your duty at "A" wing 4 Cdn Repat Depot?
A. Sgt of the Regimental Police sir.
- Q. Could you tell the court how long Spr Myers has been detained prior to this trial?
A. Spr Myer was placed in the guard room at "A" wing 4 Cdn Repat on the 6 May 46.
- Q. That is a period of 36 days is it not?
A. Yes sir.
- Q. Was he detained for any period prior to that?
A. As far as I know he was detained in London for approximately 12 days.
- Q. What has Spr Myer's conduct been while in detention awaiting trial?
A. His conduct has been excellent while in close arrest.
- Q. Has he been employed?
A. Yes sir, he volunteered to work and I released him from the cell to work. His work has been very good and his behaviour has been very good.

IN THE OPINION OF THE COURT IT IS NOT NECESSARY TO CONTINUE WITH RP 3(B).

SECOND CHARACTER WITNESS FOR THE ACCUSED

H/Capt. G.R. COOK - "A" Wing, 4 Cdn Repat Depot, sworn, states:-

I just have a brief statement to make to this court.

I came into contact with the accused in the course of my duty and in addition he has come to see me on a few occasions. I believe that perhaps his case does merit special consideration as the defending officer will eventually show he has a long record in the army to his credit. He joined the NFM at the age of 15 and on the 8 Sep 39 he transferred to the Canadian Army Active. The father of the accused is a veteran of the last war and is now living on a pension having been both wounded and gassed, his mother is over 60 and another compassionate feature in the case is that his sister died early in this year. I would like to emphasize the rather disappointing circumstances arising in connection with his relationship with a young lady. To begin with he was acquainted with this young lady before going to Italy and very wisely deferred being married before going into a theatre of action. Upon his return he decided to get married and make an application at 1 Repat. He informs me that he was refused and put on repat for Canada. That was his first spot of going A.M.I., now while A.M.I. he discovered that this young lady was not the lady he thought she was, in fact to use the word he gave me he discovered that she was a prostitute and it is only natural after a period of waiting and the faith he put in her that he felt somewhat distracted. He has no desire to plead Not Guilty whatever he knows he is guilty but he does ask for some consideration on the above