

AUG 4 - 1945

3 Canadians Acquitted On Charges of Mutiny

Aldershot, Aug. 3 (CP).—A Canadian general court-martial today ended hearing of charges against three Canadian soldiers arising out of last month's riots here.

Two of the accused men — Pte. I. L. MacIntyre of St. Avards, P.E.I., and Sgt. Emmanuel Schuler of Bursfall, Sask.—were declared not guilty of major mutiny charges, but findings in two lesser charges against MacIntyre and three against Schuler will be promulgated later.

The court previously had thrown out a charge of having caused mutiny, laid against Pte. Lloyd States, Negro, of New Glasgow, N.S., and announced findings in five lesser charges against him would be promulgated later.

Schuler made no testimony in his own defense and called no witnesses during the early part of today's session. MacIntyre denied any connection with the riots other than having tried to quiet an unruly crowd of Canadian soldiers milling about this garrison town the nights of July 4 and 5.

When Lt.-Col. J. A. Calder had sought to reason with the men regarding their grievances about pay and delay in repatriation, MacIntyre said he had climbed onto a jeep beside Calder and shouted: "Shut up and listen to the colonel."

Men in the crowd had shouted at Calder about three Canadian soldiers said to be imprisoned in Aldershot police station, and he had merely repeated the remarks to Calder "in case he hadn't heard," MacIntyre said.

Prosecution witnesses has testified MacIntyre had been among the men shouting about the Canadians in the jail and threatening to

"break the windows" if they were not released.

The court found MacIntyre not guilty of causing a mutiny and Schuler innocent of not suppressing a mutiny. Still to be promulgated are findings in the following charges:

Against MacIntyre: Endeavoring to persuade others to join a mutiny; interfering with civil and military traffic.

Against Schuler: Joining in the mutiny; using violence to a superior officer; using threatening language to a superior officer.

Against States: Endeavoring to persuade others to join in a mutiny; causing riotous damage the nights of July 4 and 5; inciting others to do property damage both those nights.

Urges Caution

Summing up the Schuler case, Capt. N. J. McNeill of Calgary, prosecutor, said evidence had shown there was a mutiny in Aldershot and that Schuler had joined in. Testimony to the effect that Schuler said he would return the following night to "tear the town apart" suggested that he seemed to think the mutiny was "rather a good idea."

Capt. H. F. Gibson of Kingston, Ont., defending Schuler, urged that the court, in considering charges of violence and threats to an officer, should be sure it was the defendant who had committed such acts and suggested that there was doubt whether violence and threats ever took place.

"Lieut. J. E. Lajeunesse (Montreal officer of the Canadian Provost Corps) was a pretty busy boy that night," said Gibson, referring to the witness who said Schuler pushed and threatened him.

"Charges arose from events in Aldershot which have aroused much publicity, but for which very few people have been charged. Before the court arrives at a sentence it must make certain that this man is not made a scapegoat for the whole offense."

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