

C O P Y

Case No. 628-675  
SS DAVID GAILLARD

MERCHANT MARINE HEARING UNIT  
FOURTEENTH NAVAL DISTRICT  
Honolulu, T.H.  
17 October, 1945

IN THE MATTER OF  
Certificate No. E- 688189  
Issued to Kenneth Richard Waybright  
Ordinary Seaman, Z-507428

Report of Hearing

Hearing held on 15 October, 1945. Testimony not transcribed but on file in this office.

Source: Coast Guard Intelligence memorandums dated 28 September, 1 October and 11 October, 1945.

Charge: Misconduct - 1 specification alleging unlawful pilfering of certain property from the cargo of the SS DAVID GAILLARD.

Plea: Guilty.

Facts: On 15 September, 1945, a group of crew members of the SS DAVID GAILLARD entered the Nos. 1 and 2 holds and pilfered certain articles. Subject was a member of the group, all of whom with the exception of one man, are quite young. Subject is only 16 years old. Upon a rumor circulating the ship that the vessel would be searched, subject threw certain articles pilfered from the cargo over the side. It was evident to the Hearing Officer that in this particular case, Waybright is not a criminal character, and that the gravity of the episode was not fully understood.

Conclusions: The evidence was sufficient to support the plea of guilty.

Findings: Specification 1 proved by plea - Charge proved.

Order: One year's suspension effective in continental United States, the last ten months of which are subject to two years' probation.

Appeal: None indicated.

CERTIFICATE RETAINED BY HEARING OFFICER FOR FORWARDING TO HEADQUARTERS.

LEWIS F. GERBER  
Lieut. (jg), USCBR  
HEARING OFFICER

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