

More testimony heard

Diver, Gerow trial ends its fifth week in Ontario Supreme Court at Barrie

BARRIE: - Today the Supreme Court of Ontario trial of Garrold Diver and Neil Gerow ended its fifth week before a jury of 11 men and one woman.

The pair is accused of the murder of Elizabeth Whelan of Penetanguishene on June 9, 1979.

Testimony in defense of Neil Gerow began earlier this week as Toronto attorney Barry Swadron addressed the jury. 'we will call evidence,' he said, 'to show that Neil Gerow is different...that in no way can he be described as an average teen-ager in Midland.'

Even with his own peer group he is different. Evidence will be produced to show that he suffers from a personality disorder known as a schizoid personality.'

Dr. Ruth M. Bray, a psychologist in private practise and a consultant with the Clarke Institute of Psychiatry in Toronto told court that she had been asked to prepare a psychological assessment of Gerow and that she had used a battery of six tests to arrive at her conclusions.

As well the doctor said she had been given access to test results from assessment done by Dr. Manfred Pruesse, head of psychology

at the Mental Health Centre in Penetanguishene.

Dr. Bray told the jury that she tested Gerow for gross brain damage and neurological dysfunction. 'He doesn't seem to have any difficulty with that,' she said. 'His problems are in adjustment.'

She explained that Gerow has difficulties with interpersonal relationships, and does not tolerate social pressures very well.

She continued, 'He does not seem to have the moral development that perhaps the rest of us have. He tends to respond on a gut level.'

The doctor made careful distinction between a schizoid personality and schizophrenia, where one is out of touch with reality. 'Neil's testing does not suggest a psychopathic personality,' said Dr. Bray. 'He might respond to appropriate treatment.'

Dr. Bray told the jury that her test results were similar to those obtained by Dr. Pruesse in his assessment of Gerow. She said Pruesse had told her that Gerow's personality profile was similar to profiles of some patients in the Oak Ridge division of the Mental Health Centre.

Psychologist

The Toronto psychologist told court that Gerow had had very little sexual or dating experience -- a situation she called 'unusual for a young man of his age.'

Defense counsel called Midland Secondary School guidance counsellor to the stand.

The MSS teacher testified that there had been problems with Gerow with reference to absences and truancy between 1977 and 1978.

'Each time I counselled Neil,' he said, 'I found the gamut of emotions fairly flat.'

Another teacher testified that he had found Neil 'uncooperative, odd, awkward and hard to get to know'.

A close friend said Neil was introverted and withdrawn and a family member testified that Gerow disliked school and when he later got a job which paid \$6.93 an hour he 'tended to stand around a lot.'

Yesterday morning Oakville psychiatrist Dr. Peter Rowselle supported Dr. Bray's diagnosis of a schizoid type of personality disorder. "Neil Gerow", he said, "is in my opinion mentally ill."

Rowselle told the jury that Neil dealt with anger in a variety of ways. One was by

playing chicken. "Neil told me that he and Gerry would play the game by holding a lit cigarette close to the forearm. The first one to pull away is the chicken. Neil has scars on his left forearm and one is quite recent - made within the last three weeks while they were in jail."

Under questioning by Gerow's counsel, Barry Swadron, Dr. Rowselle said that in his opinion Gerow probably had no idea of whether what he did on the night of Elizabeth Whelan's death was right or wrong.

He added "he would know he was hitting and stabbing. He would know that such an action would likely cause harm or death to a person but in his condition at that time his feelings were so shut off that his state could be more accurately likened to a person swatting a fly than to taking the life of another human being."

Rowselle agreed with counsel Swadron that, given his schizoid personality and the reported consumption of 12 bottles of beer and eight marijuana cigarettes in an eight hour period, Neil Gerow was unable to perceive the full force of what he was doing in the early morning hours of June 9, 1978.

Tay's deputy fire chief praises local co-operation

Tay Township's Deputy Fire Chief Bill Beck had some good words for Midland Fire Department yesterday as he recalled the co-operation that existed Monday in extinguishing a stubborn fire which destroyed a good portion of the Georgian Lodge on Fuller Avenue.

Midland police and their counterparts from the OPP also came in for praise from the deputy fire chief who heads up Tay's Old Fort Road Volunteer Fire Department.

"Your police made it possible for us to bring our 2,000 gallon tanker over to the scene without being interrupted by traffic."

"Once there the OPP co-operated so we could get to the hydrant up at Robert and Fuller. We made six trips. That means our porta-tank (portable reservoir) used about 12,000 gallons of water during the fire and that doesn't include the two tankers Midland Public Works used to fill up the porta-tank either."

Beck said he "hadn't seen better co-operation. Our hall was unattended too but under the Simcoe County Mutual Fire Aid agreement Port McNicoll was on stand-by so we were covered."

He added, it was one of the first opportunities he has had to watch his tanker and porta-tank in operation "since at fires in our township I'm too busy to stop and take notes."

Beck says he was able

to observe things he couldn't otherwise see and plans to make adjustments and improvements in future.

Although many Midlanders felt the fire which consumed much of the stately mansion was in Tay, Beck pointed out it was "in Midland, near its northeast boundary with Tay...but it was still in Midland."

Firefighters from Penetanguishene also responded to the three-alarm blaze.

Smoke

Black smoke, towering over the burning multi-storey dwelling could be seen miles away after fire broke out there around noon Monday.

Since then an official with the Ontario Fire Marshal's Office has determined the fire was "incendiary" in nature.

Earlier this month someone tried to set the place on fire but failed, this newspaper was told. At that time the fire burned itself out before it could do any serious damage.

Earlier this week Fire Chief Terry Lethbridge, head of M.F.D. expressed his appreciation for the co-operation his department received from local police, the OPP, Midland Public Works, Tay and Penetanguishene fire departments.

Meanwhile the investigation continues in an effort to pin-point who lit the fire. Damage according to the Midland fire chief will run into the thousands of dollars.

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