

EMIL NERLICH HELD; CROWN REFUSES BAIL

Alleged to Have Assisted Enemy of Country

MALICIOUS LIE, SAYS HE

Amazed at Published Story, He Calls at Police Station With Counsel and Is Detained—Police Reticent Concerning Case.

Something of a sensation was caused by the detention on Saturday without bail of Emil Nerlich of Nerlich & Co., wholesale merchants, 146 Front street west. It is alleged that Mr. Nerlich, who is a naturalized Canadian, though of German birth, and lives at 16 Dunbar road, Rosedale, assisted Arthur Zerzow, a German reservist, to leave the country. Action was taken, it was stated last night, on a "tip" from the military authorities at Ottawa. It was stated by Detective Sergeant Mackie that a charge would be laid to-day under sub-section 1 of section 74 of the code, which says that "any person assisting any public enemy at war with his Majesty in such war by any means whatsoever" is guilty of treason.

What Police Allege.

His detention and subsequent arrest came about in a rather peculiar manner. A story appeared in the press alleging that Mr. Nerlich was being sought by the local police for assisting an alien enemy to escape from Canada. It was stated that Mr. Nerlich apparently knew that the police were searching for him and had left the city a week ago for the United States by automobile. The charge arose, it was claimed, through the arrest on December 13 by Constable Maurer of a German reservist as the latter was about to board a train at the Union Station.

Mr. Nerlich says that he has spent the past week in Montreal, and he returned to the city on Saturday morning. On reading the story he immediately went to the offices of his counsel, Shepley, Donald & Mason, and with a member of the firm left for the office of the City Crown Attorney to protest against the story. Mr. Nerlich and his counsel were referred to the office of the Detective Inspector. A lengthy conference took place in Inspector Kennedy's office, and in the afternoon the detention of Mr. Nerlich took place.

Maliciously False, Says Accused.

Mr. Nerlich claimed that the story was a malicious falsehood, stating that he had never left Canada, and that he never knew that he was under any suspicion.

The police apparently were caught unawares by the appearance of Mr. Nerlich and his counsel. Not until 6 o'clock on Saturday night did the police endeavor to obtain a search warrant to enter Mr. Nerlich's home to search for incriminating evidence.

Concerning the particulars of the case the police are very reticent. They give only the allegation and the name of the reservist who was arrested by Maurer.

Mr. Nerlich Detained.

Strenuous efforts were made by counsel for Mr. Nerlich to secure bail for their client on Saturday evening. When they were unsuccessful special arrangements were made with the police for Mr. Nerlich's detention on Saturday night. He was taken to Court street police station, and, instead of being placed in a cell, was permitted to remain in the detective quarters with Detectives Murray and Guthrie. On Sunday he was not sent to the jail or Stanley Barracks, but allowed to remain in the police station. Detectives Montgomery and Archibald were ordered to watch Mr. Nerlich. His meals were sent him by friends.

Appealed to Attorney-General.

On Saturday afternoon Mr. G. W. Mason, counsel for Mr. Nerlich, interviewed the Attorney-General to get

permission for his client to remain at home under arrest rather than spend Sunday in the cells. As this is a matter over which the Attorney-General's Department does not interfere, the only satisfaction Mr. Mason could get was the verbal statement that the department would have no objection to any arrangements the police department might make regarding Mr. Nerlich's detention. When the case comes up in the Police Court this morning the Attorney-General will have jurisdiction through the Crown Attorney, but it was explained to The Globe that it was not usual for the Attorney-General to advise the Chief of Police how a prisoner should be detained pending his appearance before a Magistrate.