

Falls Treason Charge Rowens On Trial

Immigration Inspector Willox And Others Give Evidence--Prisoner's Employer Louis Gurofsky Ordered Out Of Court At Request Of Crown Council

DEFENCE LINE--ROWENS TOOL OF PEOPLE HIGHER UP

The trial of the ticket agents' clerk, James Rowens, on the charge of treason in connection with an attempt to book 18 Austrian alien enemies from Niagara Falls, Ont., as Roumanians, was opened at the criminal assizes, Toronto, yesterday. Rowens is a Russian by birth, and on that account Crown Counsel Du Vernet, in his address to the jury, said he could not understand why a Russian should try to help the enemies of his country.

Further, Rowens was an educated Russian, and at one time he was a member of the bar at Moscow, and under the circumstances the question arose whether or not it was a sordid question of money that was responsible for what took place.

"No doubt," said the crown counsel "it was the accused's business to sell as many tickets as possible, and it looked as though this was a miserable sordid case of trying to get these men across the border for a few miserable dollars. Another question that might arise is why is the ticket agent not in charge, and was this accused doing it because he was told to do it by his superior? If there is anyone behind it, it is not the small man the crown desires alone to punish. If we find before this evidence is all out that there is something behind this, that some man got the money, then the crown will fail in its duty if it does not bring the responsible party to book.

"We are not going to allow the small man to be put forward to hide the real ones. If this man is a tool, if he is there to hide somebody else, it is my duty to try to bring out the truth."

Charles Willox, immigration inspector in charge at Niagara Falls, told the court that Rowens came to him at Niagara Falls on October 27th and said he had about 20 Roumanians he wanted to book to Roumania, but he did not wish to sell them tickets until they had been passed. All the men claimed to be born in Roumania, but one admitted he was a Hungarian from Bukowina, and finally they all admitted they were Hungarians. Their ages ranged from 17 to 54 years.

Cross-examined, witness stated that Roumania was just across the border from Bukowina, and they might have been speaking the language of that country for all he knew.

Detective Cronin stated that Rowens denied selling tickets to Austrians, when the witness went to interview the prisoners of war at Stanley barracks, but he had two receipts for \$5 each which Rowens admitted were in his handwriting. He denied, however, that these were for the men's passage, contending that these \$5 bills were for

the trouble he had gone to with them.

"When face with each other." Detective Croning continued, "The Austrians identified the prisoner as the man who came to their camp outside Niagara Falls, sometimes alone and sometimes with another man. Prisoner said to them, 'Who wants to go to Austria?' The men said they could not go. Rowens said: 'You speak Roumania, don't speak Austria, and have no Austrian papers on you, and I get you over all right.' Rowens denied these statements."

All the 18 or 19 prisoners of war mentioned in the indictment were called as witnesses by the crown. They were brought down from Stanley barracks under a guard of nine members of the 45th Highlanders in charge of Lieut. McLean.

The process of getting the evidence from these witnesses was very slow, all having to be obtained through interpreters.

During the cross-examination of the first Austrian, and while he was identifying the prisoner, Crown Counsel Du Vernet asked that Mr. Louis Gurofsky be put out of court.

He may be called as a witness, said counsel, but I ask that he be put out in any case when any evidence is being taken.

The court—He is one of the public. On what grounds do you ask for his expulsion?

Mr. Du Vernet—There has been more or less constant interference by Gurofsky, and I am not going to allow it.

The court—What has he done?

Mr. Du Vernet—He interfered just now with your lordship's order. You asked the accused to stand up and Mr. Gurofsky told him to sit down.

The court—Did you say that Mr. Gurofsky?

Mr. Gurofsky—Just at this moment.

The court—I think it is better for the administration of justice. You are not a partner in this proceeding. Your presence is not necessary in this court for any purpose, and as a suggestion has been made as to your conduct, it would be better for you to withdraw.

Mr. Gurofsky immediately walked out of the court room.

The authorities are taking no chances with the foreign witnesses interned at the barracks, and those who have already testified are kept separate who are going to testify. They were even escorted back to the detention camp under separate guard. The case will likely last till the end of the week.

All the 18 Austrians, it is understood, will be called as witnesses. The case will continue today.