

ZIRZOW IS LIABLE TO TREASON CHARGE

Alien Enemy Citizenship Makes
No Difference, Says Mr.
W. C. Mikel

PERJURY TRIAL ALSO

And Malicious Destruction of
Documents—Nothing
Done Yet

Mr. W. C. Mikel, K.C., Crown Counsel in the trial just concluded in which Mr. Emil Nerlich was acquitted of treason in giving \$10 to pay the debts of Arthur Zirzow, a German officer, whose intention was to go to rejoin his regiment, in discussing the case with The Daily News to-day said that he could not say what action would be taken by the Crown against Arthur Zirzow, who in the box had repudiated evidence given under oath, and who had attempted to destroy a document during the trial.

Zirzow, said Mr. Mikel, had laid himself open to charges of perjury, treason and malicious destruction of documents. No action could be taken against Zirzow at the Assizes just concluded as, to do so, a true bill would have to be brought by a Grand Jury, and the Grand Jury at the Spring Assizes had been dismissed weeks ago. Mr. Mikel was of opinion that such proceedings should be instigated. To let Zirzow's actions go unpunished, was to give a bad example to the community.

Liabile, Though Alien.

Could treason be alleged against an alien? asked The Daily News.

"Certainly," said Mr. Mikel. "If a man accepts the protection of a State he is bound to render allegiance to it, even though he be a subject of an enemy Government."

As for the charge of contempt of court spoken by Mr. Justice Sutherland yesterday, that was a matter for the court to maintain its own dignity, and not for the Crown.

Conspiracy Charge.

Mr. Mikel said he did not know if any further action would be taken on the conspiracy charge quashed in the Court of Appeal on technical grounds. No decision could be arrived at until the Appeal Judges had handed down their full statement.

Nothing could be done with regard to the two outstanding charges against Mr. Nerlich—of giving information to the enemy and of trading with the enemy contrary to the Criminal Code. These could not be dealt with until the Court of General Assizes was again in session, next fall. Till then Mr. Nerlich must remain on bail of \$100,000.

Mr. Mikel left for his home in Belleville to-day.