

INTERNED AUSTRIANS TRY HABEAS CORPUS

Fernie Miners Seek Release, Claiming They Are Friends of British Empire.

Habeas corpus proceedings are being taken by Messrs. Darling & McMurrich in the case of Martin Bobrovski and Steven Joniski, two Austrian miners who were interned at Fernie by order of the attorney-general. Mr. A. H. Fleishman appeared in court this morning and asked to have the proceedings transferred to Victoria, the attorney-general having consented.

Counsel for the interned Austrians contend that the section under which the attorney-general proceeded did not apply to men who were opposed to the Austrian cause especially when, as in these cases, the men were naturalized United States citizens who had not been in Austria for 20 years. Even in the case of men who were not American citizens they contend that internment is not authorized unless the men are in sympathy with the enemies of the Empire.

The Dominion government's intention of releasing these men has not been brought to the notice of counsel, Mr. Darling states, and the men are still in custody according to his latest instructions.