

**The**  
**Ontario Weekly Notes**

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HIGH COURT DIVISION.

LENNOX, J., IN CHAMBERS.

DECEMBER 17TH, 1914.

REX v. ROWENS.

*Criminal Law — Application for Bail — Charge of Treason —  
State of War.*

Application on behalf of the prisoner for bail.

T. H. Lennox, K.C., for the prisoner.

Edward Bayly, K.C., for the Crown.

LENNOX, J.:—The prisoner is a Russian, said to be well educated and of good antecedents and character. He is awaiting his trial upon a charge of treason, founded, it is alleged, upon his aiding and abetting the King's enemies in an attempt to leave Canada. It is argued that he is clearly not guilty, but, he having been committed, I must assume that there is at least a *prima facie* case, and he is charged with the commission of a capital offence of the gravest character known to the law. It is not an extraditable offence; and, if it should turn out that he is guilty—an enemy of the Crown—there is no money compensation which could be regarded as the equivalent of the public injury resulting from his escape. He is of the nationality of one of our great Allies. Substantial bail has been offered, and I am inclined to believe that the application is made in good faith, and that he would await his trial. But this is a time of war, a time of great national stress and peril, when no chances should be taken; and, upon the whole, I do not think it prudent to accede to the application. The case can be brought to trial in January.

The application is refused. I make no order as to costs.