

CARRIERE CASE WILL DETERMINE ALIENS' STATUS

All Internments Are
Affected, Says Lawyer
—Judgment Pending

Montreal, Nov. 29 (CP).—Hearing in the case of Marc Carriere, political organizer held for internment under the War Measures Act because of utterances made at a by-election meeting here, ended Saturday after three days of argument on the maintenance of a writ of habeas corpus. Mr. Justice E. F. Surveyer will render judgment at a later date.

The judge announced at the same time that he will render decision next Saturday on the question of bail for Carriere, detained in Bordeaux Jail since his arrest last Friday after he had said at a rally for Jean Drapeau, self-styled "draftees candidate" in tomorrow's Montreal-Outremont Federal by-election, that he had received his military call-up notice, but "didn't give a hoot about it." Carriere then was Drapeau's "chief organizer."

Mr. Justice Surveyer may reverse during his study of the case his ruling not to order Justice Minister St. Laurent to appear in court to testify regarding Carriere's detention. Yesterday Carriere's defense counsel had Mr. St. Laurent served with a subpoena here, but Chief Crown Prosecutor Gerald Fauteux stated in court that he had been "authorized to announce the Justice Minister will not appear as a matter of public order."

Mr. Fauteux and Aime Geoffrion representing the Justice Minister, in summing up their case yesterday argued that Carriere was legally detained "under Defense of Canada Regulations, and that the measure was not punitive but preventive."

Defense Counsel F. Chausse, in his rebuttal, said that "there is no martial law in Canada suspending the regular tribunals which, therefore, are still empowered to hear cases even like this one." He was referring to Section 22 of Defense of Canada Regulations, which stipulates that "objection to detention order may be made before an advisory committee at Ottawa."

Mr. Chausse also referred to the two detention orders in the case—the first one signed by Acting Minister McLarty, and the second by Justice Minister St. Laurent.

Mr. Geoffrion previously had told the court that "on this case depends the validity of the detention and internment not only of Carriere, but of thousands of enemy aliens."

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