

Endorsing Passport Said 'Gross Stupidity,' Soboloff Fined \$500

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Misplaced trust, which the Crown called "gross stupidity," cost Dr. John Soboloff \$500 or three months yesterday when he was called before Magistrate S. Tupper Bigelow to answer a charge of having given his name in endorsement of a passport application brought to him by Sam Carr.

The passport application was for: "Ignacy Witczak."

Det. Sgt. N. Spanton, RCMP, told the court the real Ignacy Witczak lived in Leamington and was a single man. He had gone to Spain in 1937 to fight with the Republicans and there had been removed of his passport. He had been told his passport was one of many carried on a truck which had been hit by a bomb.

"The man for whom this passport was sought," the detective said, "was a man who entered the United States in 1938 with a woman, called Bunia, as his wife. The passport probably was to assist the fictitious Ignacy Witczak to leave the United States and go to Russia."

Favor for Sam Carr

Special Crown Prosecutor J. J. Robinette stated there was nothing to suggest that Dr. Soboloff was a part of any espionage ring, or was in any way connected with Russia, but emphasized that his act in signing the application was one of "gross stupidity" since he did not know the man whose name it carried. Dr. Soboloff had stated the application form was brought to him by Sam Carr, and he had signed it because Sam Carr was "an acquaintance and a patient" and because he thought it would help someone enter or leave Canada.

Sam Carr, who was organizer of the Labor Progressive Party for Canada, has disappeared since the launching of the espionage investigations.

The attempt to obtain the passport for the fictitious Ignacy Witczak began early in 1944 at the direction of the Soviet Embassy in Ottawa, the RCMP officer said. "A Lieut.-Col. Motinov instigated the matter with Sam Carr," he said, "and it later was taken over by Lieut.-Col. Rogov, also of the Soviet Embassy."

Mr. Robinette, stating he wished to bring out the consequence of events which flowed from Dr. Soboloff's "gross stupidity," said a passport officer in Ottawa presently faced a charge of conspiracy in connection with the same passport. The passport had been issued, he said, although the passport photos had not been endorsed as they should have been.

Cites Doctor As "Shocked"

David Sher, appearing for Dr. Soboloff, said the doctor had appeared before the commission in April and "was quite shocked at what his transgression had led to."

"There was no indication," Mr. Sher said, "that Dr. Soboloff had any inclination to join what has become known as an espionage ring. In this case he may have been gullible. He was invited to underwrite something brought to him by someone he had no reason to distrust." Referring to the investigation of the officer in the passport office, Mr. Sher said: "The passport probably would have gone out anyway, from what we know now."

In a statement to RCMP, Dr. Soboloff had said he had given his name as voucher to the passport application because it had been brought to him by a "friend and patient," Sam Carr. He admitted he did not know the real Ignacy Witczak.

Given Maximum Fine

He said he was not "positively clear" if the application was filled in or blank when it was brought to him for his voucher signature.

Dr. Soboloff was charged: "That in the County of York, in 1945, John Soboloff, once residing at 583 Bathurst St. and now at 782 Spadina Rd., unlawfully did, at the request of Sam Carr, residing at 74 Rus-holme Rd., make an untrue or misleading statement in writing, known to him to be such, to wit a declaration as voucher for the purpose of procuring a passport or visa thereof, or an endorsement thereon, for another person . . ."

In sentencing, Magistrate Bigelow said he did not consider the case a proper one for imprisonment. "It was gross stupidity," he said, "the results of which warrant the maximum fine."

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