

# CHARITONOFF FREED BY GOVERNMENT

Ottawa Grants Stay of Proceedings in Charges Against  
Editor

## ACT CALLED ILLEGAL

Rumors in legal circles that the Dominion government would not proceed against persons charged with sedition under the War Measures Act, gained credence today when Michael Charitonoff, editor of the Working People, a Ruthenian paper, was granted a stay of proceedings in police court on a charge of sedition.

Proceedings were stayed on instructions from the department of justice, R. B. Graham, crown prosecutor, announced this afternoon.

### Convicted of Sedition

Charitonoff was convicted of sedition by Magistrate Macdonald and sentenced to three years at Stony Mountain penitentiary with a fine of \$1,000. He was released later when Judge Dawson ruled that because of a technical error Charitonoff had been convicted without a trial.

In granting a stay of proceedings, the department of justice, according to a legal interpretation by E. R. Levinson, counsel for the defense, upheld Judge Dawson's decision that the order-in-council under the War Measures act was illegal and no prosecutions could be made under it.

In other words this means that the government, by ruling of its department of justice, cannot prosecute for sedition under the War Measures act, lawyers assert.

Judge Dawson's ruling, according to Mr. Levinson's interpretation, was that the government had no power to amend the criminal code by order-in-council. The order was held as a virtual amendment to the code, Mr. Levinson said.

Charitonoff was at the police station, but did not appear in court.