

Two Year Sentences Imposed Upon Strike Leader Russell; Six Are to Run Concurrently

Strike Leader in Winnipeg Declares That He Was Not To Blame, as He Carried Out Instructions of the Rank and File—Judge Says That Under New Law Sentence Might Have Been Twenty Years.

Winnipeg, Dec. 27—R. B. Russell, strike leader, was this forenoon sentenced to two years in Stony Mountain penitentiary on each of the six seditious conspiracy counts, and one year on the count of committing common nuisance, sentence to run concurrently, making two years in all.

Russell was led from the court room by Deputy Sheriff John Pyniger, with the cheers of his friends and supporters ringing in his ears. One of those who led in the demonstration—William Staples, 390 Warlaw avenue, a machinist in the C. P. R.—was taken into custody by Captain C. F. Wheeler on the order of the deputy sheriff. It appeared for a moment as though a forceful demonstration was about to take place.

Mr. Justice Metcalfe, before passing sentences, asked Russell if he had anything to say before sentence was passed upon him, and Russell spoke as follows,

"Your lordship, I have very little to say. Throughout my trial I have listened almost religiously to the proceedings of this court, and I feel that the court has not grasped the real cause of my activities in the trades union movement. I have been duly honored in being named a leader in a movement where there are no leaders, but only mouthpieces. I carried out my instructions from the rank and file in the movement as a paid servant to the best of my ability, and I feel that if the court had permitted me to demonstrate my real intents during the strike I could have convinced everyone that it was free from anything criminal. I am a married man and a father. I do not understand the law and still less the procedure of the court. I feel that if the court had grasped the true conception of the trades union movement in which there are no leaders but only individuals acting for the rank and file, it would have realized that I only fulfilled those duties. I do not think that I can say any more. I leave it to the court as to what becomes of me this time."

Amid a hushed silence Russell sat down, and Mr. Justice Metcalfe, in passing sentence, said:

"Russell, it has been your conviction that you thought you were justified in promulgating these mischievous ideas to the public. Fortunately your ideas were not acceptable to the public or the jury, although they were attempted to be enforced on the public and on the jury.

"This court has no unfriendly feelings toward you. The jury thought your ideas were wrong. I congratulate them on their opinion. You attempted to enforce those ideas in the manner we heard of. I think you are mistaken, and also think your associates with whom you acted ought not to have done what they did in the way they did it. I do not think that you are any worse than the rest. The law is there, and it must be respected while it is there. I will have to give you the punishment the crime merits, and it is very fortunate for you that I did not think the recent amendment applies to your case. You would have been faced with 20 years' punishment. I still don't think that the amendment applies, and I am going to give you punishment under the old law, which I consider proper.

"I sentence you on all counts, but so that you need not be unduly worried the sentences will run concurrently."

The judge went on to point out to Russell that the length of time he remains in prison largely rested with himself. As soon as he showed that he had reformed there would be no longer any need to keep him in the penitentiary. There was only one way of showing this reformation, and that is by good conduct.

The speeches made just prior to the assizes for which one man was indicted by the grand jury did not, said the judge, indicate the reformation that he had referred to (this remark by Justice Metcalfe was to a speech made by Rev. J. S. Woodsworth for which he was indicted on a charge of speaking seditious words).

Mr. Justice Metcalfe then sentenced Russell to two years each on the first six counts and one year on the seventh count.

After the sentence of the court had been announced Mr. Cassidy moved that a respite of the sentence be allowed pending the motion of the defence to appeal the case. Mr. Justice Metcalfe declined to take the responsibility of dealing with the request. He said that he thought he had shouldered too much responsibility in the Russell trial and intimated that the convicted labor leader should have been tried by a full court of the judges of the court of the King's Bench.

It was officially announced after adjournment that this motion of Mr. Cassidy—which for technical foundation is based upon the adverse decision of Mr. Justice Metcalfe in the motion to squash the indictment made by the defence before the commencement of the trial—will be heard by a full court of judges of the court of King's Bench on Monday morning.

Ready for Hearing Wednesday.

The appeal on the reserve case for a new trial for Russell will be heard by the court of appeal just as soon as the defence has prepared their case. This statement was also made by Mr. Justice Metcalfe this morning. Mr. Cassidy said that in all probability he would be ready by Wednesday morning.

Arrangements will be made, it was intimated, to keep Russell in the provincial jail in Winnipeg until Monday, when the motion before the court of King's Bench will be heard.

Russell's wife, who was present in the court when sentence was passed, took the decision of the court quietly, although she practically broke down outside the court following the adjournment.

R. E. Bray informed Russell this morning that while he was serving his sentence the defence committee would see that his wife and family were comfortably provided for.