

their very efficient collector, Mr. John D. Rockefeller.



Another Test of New York's Courts.

News from Tarrytown is to the effect that Rockefeller's supporters in their efforts to suppress free speech have resorted to rioting and lawless violence. It will be interesting to compare the treatment accorded these plutocratic disturbers with what has been accorded to poor and friendless persons not guilty of riot. Will any of these rioters be as severely dealt with as Frank Tannenbaum, Bouck White or Marie Ganz? Or is there one law in New York for uninfluential persons who insist on exercising constitutional rights, and another for those who exercise lawless violence to suppress expression of opinion?

S. D.



New Jersey Needs the Recall.

The Supreme Court of New Jersey has upheld the sentence of Patrick Quinlan, convicted last August at Paterson for saying in a public speech: "Elect a Socialist mayor and you won't have cops like 'Bummy' Ryan batting you over the head with the club." Quinlan was sentenced to a term in the penitentiary. In view of the fact that the same court only recently set aside a similar unjust conviction in the case of Editor Alexander Scott, the decision in the Quinlan case comes as a disagreeable surprise. Probably there is some legal difference between the Quinlan case and the Scott case, but there is no moral difference. There should be no hair-splitting distinctions to allow freedom of expression in one case and to condemn it in another. The Quinlan decision makes a mockery of the alleged right of free speech in New Jersey. It furnishes another example of the great need of popular control of the judiciary and of judicial decisions.

S. D.



An Enlisted Man's Chance.

How much chance has an enlisted man in the United States army unjustly punished by his superiors to secure redress? The case of Kosti Leo Aryan, now convict 7942 at Alcatraz, California, shows that he has very little. Aryan got into trouble by writing the following letter on November 21 to the Secretary of War:

To my utter amazement I discover that a soldier is induced by the War Department to take a so-called "oath," promising to obey orders, even though those orders be in defiance of God and His commandments: "Thou shalt not kill for revenge is

mine." Under no circumstances can a promise be valid which defies the fundamentals of religion, especially when, in the name of God, one promises to act against His will. Since I have discovered this absurd and blasphemous act, my religious conscience compels me to ask for my immediate discharge, and I base my request upon the Constitution of the United States, which assures religious freedom to every individual.



This letter was not forwarded to its destination. The excuse for this given by Aryan's superior, Major H. E. Cloke, is paragraph 789 of the army regulations which says, "unimportant and trivial communications need not be forwarded to the Adjutant General of the army simply because addressed to him. Department, brigade and district commanders should decide whether a communication is of sufficient importance to be forwarded." In other words, there is no truth whatever in the assurance frequently given that a private may, without fear of punishment, present a complaint to the War Department. Whether the complaint shall be presented or not rests entirely with his immediate superiors. His alleged right to complain is but a mockery.



Not only was Aryan's letter withheld but he was courtmartialed on the ground that "he wrote a disrespectful and insubordinate letter to the Secretary of War." Naturally as a result of his religious views he was compelled by his conscience to act in other ways not to the liking of his superiors. This also constituted "insubordination" and resulted in additional charges. While a prisoner under conviction he brought additional punishment on himself through adherence to his principles, until finally he was sentenced to seven months in the penitentiary and a dishonorable discharge. The case attracted the attention of Thorwald Siegfried, a democratic attorney of Seattle, who endeavored to have the wrong righted. After months of delay the War Department has finally rejected the demand for justice. The letter to Mr. Siegfried, explaining this decision, shows that the Judge Advocate General did not even look into the matter sufficiently to become aware that it was not an appeal for clemency, but for justice. Was there anything exceptional in this disposition of an appeal without even considering its true nature? If so, it does not speak well for those who passed upon it. If not, it shows that the alleged right of a soldier to appeal from injustice, is but a sham.

S. D.