THE TECHNIQUE OF SUPPRESSION

BY WILLIAM SEAGLE

THE average free American, I suppose, still retains a lively recollection of the Bill of Rights, which the revolutionary struggles are supposed to have left him as his peculiar heritage. All the States and the national government guarantee to him most emphatically those rights which he regards as indispensable to a decent civilized life—the elemental rights of free speech, free press and free assembly, and the Anglo-Saxon privileges of inviolability of person and domicile, and, to the man accused of crime, of trial by a jury of his peers. One hears all these rights spoken of as natural and inalienable.

Save for the Alien and Sedition Acts of 1798, which had short shrift, and some savage speech restrictions in the Old South, no very serious inroad upon them took place during the early days of the Republic. But with the approach of our own century there were murmurs of an ominous change. In 1886 occurred the Chicago Haymarket affair, in which anarchists bombed policemen at a strike meeting, and after that the Bill of Rights began to come under legislative and judicial fire. With the assassination of McKinley came the act excluding alien anarchists, and the archetypical New York Anarchy Act, which only this year has received the sanction of the land's highest tribunal. The background is described in Hunter's "Violence and the Labor Movement." Concurrently, there began to take place the intensive development of the injunctive process. Yet the traditional American policy still appeared so unshaken in those innocent days that the learned Freund, in his work on the police power, could speak of the crime of seditious libel as practically obsolete in America, and Hannis Taylor could bewail the exclusion of lottery tickets from the mails as destroying the freedom of the press!

The late crusade for democracy abrogated the old constitutional rights almost completely. Loyal citizens were permitted to indulge a taste for whipping, tarring and feathering, and it became dangerous to life and limb to be suspected of pro-Germanism, or pacifism, to impute economic motives to the Allies, to criticize their idealism, or to refuse to help pay for the war. In many cases, judges sentenced traitors to purchase Liberty Bonds. The favorite method of the populace was to paint them yellow. That Palmer-Burleson-Lusk Golden Age is still fresh in everyone's memory, and a little of its history is preserved for the morbid in the excellent but all too apologetic and optimistic treatise of Professor Chafee: "Freedom of Speech."

The last few years have made it clear that what thus went on in war time is to be continued in days of peace. Indeed, the process of destroying the Bill of Rights is only now reaching its height. Against the laborite, and the radical who abets him, ever new and higher barriers are being raised. When the legislature of Kansas addressed an encyclical to Congress mournfully reciting that the very employés of the nation, recruited from an alien population, had wrong ideas of freedom, liberty and democracy, and urging an examination of all immigrants at the port of embarkation as to their ideas concerning "those doctrines known as free love, polygamy, com-

munism, radicalism, Socialism, Bolshevism and anarchy," it unmistakably stated the policy of the new age. No less frightful than threats of foreign invasion are the dangers of domestic heresy. The guardians of the State resort to all available methods of control, adopting the best Continental models and inventing new ones. Raids, clubbings, the breaking up of meetings, and State trials in the grand manner come in waves. At a particular time all may appear peaceful, but we are always vigilant.

I attempt here a sketch of the principal methods at present in use to insure the docility of the citizen. It is not possible to cite more than a few examples, but they are all typical. We are now a great and moral nation, and hasten to hide our revolutionary and hence illegitimate origin. Perhaps, in time, we too shall be able to give the world a new "Il Principe."

II

So far as statutory prophylactics are concerned, the new trend is clearly revealed in three general types of statutes. They are known popularly as Red Flag, Criminal Syndicalism, and Criminal Anarchy or Sedition Laws. Most of the States enacted them in the open season of 1919-1920. New York and Washington had provided themselves against the future as early as 1902 and 1909 respectively, but Alabama proved a criminally negligent laggard until 1923. Not to count the criminal syndicalist ordinances in force in many cities, such laws have been enacted in thirty-four States. The legislatures, in passing them, have usually declared them to be emergency acts, but the emergency now seems to have become permanent.

Of the Anti-Red Flag laws, little need be said, for they are important only as symptoms. Their *reductio ad absurdum* has been achieved in the cradle of liberty. The Red Flag Law of the commonwealth of Massachusetts had to be repealed when it was discovered that it made the crimson of Harvard illegal!

The Criminal Syndicalism statutes in general all have a common design, with clauses as standardized as those of fire and life insurance policies. They forbid the advocacy of the duty, necessity, or propriety of committing sabotage or other violence as a means of accomplishing changes in industrial ownership or control, or of effecting political change. To attempt to justify criminal syndicalism or to publish matter advocating or justifying the same is also *verboten*. The criminal anarchy laws make it unlawful to preach the doctrine that organized government should be overthrown by force and violence. Besides, mere membership in a syndicalist or anarchistic organization is usually made criminal, and any two persons who unite to urge such doctrines are declared to be conspirators. A meeting-house used by them acquires the legal status of a house of ill-fame: to let a hall to them is prohibited.

Some special features are provided in several of the States out of an abundance of caution. For example:

1. In Massachusetts, where the act in general is mild, it is curiously specific to the effect that the accused may be arrested without a warrant.
2. The Washington act, without providing for immunity, declares that no witness in a sedition case may refuse to testify on the conventional ground that his evidence may incriminate him.
3. The Colorado act imposes the penalty of first degree murder for any death that is the result of its violation; thus, a speaker who makes a speech which is held to be seditious may receive the death penalty if a fatal riot occurs afterward.
4. The Kentucky act states as a matter of law what is elsewhere the usual rule in practice—that "in any prosecution under this act it shall not be necessary to prove any overt act on the part of the accused."

The latest and most remarkable extravagance comes from Idaho. Its Criminal Syndicalism Act has this year been amended to include the following items in its definition of sabotage:

1. Work done in an improper manner.
2. Improper use of materials.
3. Loitering at work.
4. Slack work.

Idaho clock-watchers had better beware!

In general, the penalties provided are extremely savage, running on the average to ten years. In six States, Colorado, Iowa, Louisiana, Montana, New Jersey and Pennsylvania, a sentence of twenty years may be imposed; in Kentucky, twenty-one years, and in South Dakota no less than twenty-five years. The timid law-makers seem to forget that homicide and the destruction of property are already punishable under the ordinary criminal law, and that what they make *malum prohibitum* is simply excitable or prophetic language.

In Iowa there is an act which makes it criminal to "encourage hostility or opposition" to the State or national government, and acts of much the same sort are in force in Louisiana and New Jersey. In Montana, it is a high crime to "utter, print, write or publish any disloyal, profane, violent, scurrilous, contemptuous, slurring or abusive language about the United States, the government of the United States, or the form of government of the United States." In Pennsylvania, it is *lèse majesté* to encourage any person to commit any overt act with a view to bringing the government into contempt; in Rhode Island, to advocate any change, alteration or modification in the significant form of the State or national government save in the manner provided in the State and national constitutions; in Vermont, to counsel refusal to obey a law of the State respecting the preservation of the peace and the protection of life or property; in West Virginia, to "communicate by language any teachings, doctrines or counsels in sympathy or favor of ideals, institutions, or forms of government hostile, inimical or antagonistic to those now or *hereafter* existing under the constitution and the laws of this State or the United States." Perhaps, however, the solons of Connecticut deserve the prize for the law which outlaws all persons who "before any assemblage of ten or more persons advocate in any language any measure, doctrine, proposal or propaganda intended to *injuriously affect* the government of the United States or the State of Connecticut."

Turn now to New Hampshire, a near neighbor to Connecticut. It not only has no criminal syndicalism or sedition laws, but its constitution, like that of Maryland, specifically recognizes the right of revolution, as witness:

> The doctrine of non-resistance against arbitrary power and oppression is absurd, slavish and destructive of the good and happiness of mankind.

Thus in Connecticut it is a high crime to read before ten citizens the constitution of New Hampshire!

In some of the States of the Old South there used to be statutes against inciting insurrection among the slaves, and in some cases among the free colored population. Here is an example from Louisiana:

> Whosoever shall write, print, publish or distribute anything having a tendency to produce discontent among the free colored population of the State, or insubordination among the slaves therein shall be punished by imprisonment for life at hard labor, or death in the discretion of the court.

With historic continuity, a clause of the present Sedition Act of Louisiana makes it a crime for any person to incite or attempt to incite "an insurrection or sedition among any portion or class of the population." The class struggle similarly raises its head in provisions of the New Jersey and Iowa sedition laws. Mississippi, going even farther, has a law which makes it criminal to circulate "printed, typewritten, or written matter urging or presenting for public acceptance or general information arguments or suggestions in favor of social equality or of intermarriage between the white and Negro races. . . ."

Ten State Supreme Courts have formally sustained and approved these idiotic statutes. The anarchy and sedition laws have been held valid in New York, Pennsylvania, and Illinois, and the criminal syndicalist acts in Idaho, Minnesota, Oregon, Washington, Michigan, Kansas and California. Beside, the Connecticut courts, for all practical purposes, may be said to have

approved its sedition law when they decided that even if it was unconstitutional an alien could not plead its infirmity. In order to shut out aliens from the right to liberty as "persons" under the Fourteenth Amendment, the Connecticut Dogberries exhumed a case of pre-Civil War vintage in which it was held that slaves were not freed by coming upon the free soil of the State.

One of the few adverse decisions comes from New Mexico. There the statute forbade doing or causing to be done "any act which is antagonistic or in opposition to organized government." Perhaps the lawgivers invited their ruin when they also decreed that "any person, firm, *or corporation* employing or having in its employ any person or persons knowing him or them to be actively employed in advocating, teaching or encouraging the violation of any provision of this act is punishable by fine and imprisonment." The New Mexico courts, seeing corporations in peril, upset the law.

III

Under the criminal syndicalism and sedition acts over one thousand prosecutions have been instituted. Such States as Washington, Oklahoma, Kansas, Illinois and Michigan have done well with them, but their full potentialities have been realized nowhere as in the fair State of California, that great centre of American civilization and art, nestling upon the waters of the New Ægean. As I write seventy-seven prisoners, all Industrial Workers of the World, are held there in duress, and, consequently, the methods of the State courts must be particularly instructive.

There has been developed in California a convicting machine with an almost ideal technique. Indeed, it is practically flawless. While all good Californians, including judges, know that all wobblies are criminals *per se*, the ancient forms of the Common Law relating to evidence unfortunately require that in every prosecution the alleged criminal character of the organization to which the accused belongs must be established by competent testimony. In other words, one not a wobbly cannot testify as to the nature and purposes of the I. W. W. without violating the hearsay rule. The difficulty appears formidable, but it has been met in a formidable manner. The State of California at great expense ($250 a day and expenses!) has hired three patriotic men, all former members of the I. W. W., to be professional witnesses. One of them has admitted in court that he was once convicted of theft, arson and perjury. Another, affectionately known as Three-Fingered Jack, has served a sentence for the rape of a twelve-year-old girl. The third has confessed that he has deserted from the Army and Navy eleven times. Court records, moreover, show that he has been confined in a government insane asylum. He once admitted on the witness stand that he had never told the truth before in his life. He has appeared as an "expert" against the I. W. W. nine times, testifying to his harrowing experiences while a member.

Naturally enough, an I. W. W., confronted by such professionals, seeks "expert" testimony himself to prove that his organization is innocent. But this is simply jumping out of the frying pan into the fire. For example, consider the case of the two I. W. W.'s who went on trial for criminal syndicalism in Sacramento county in April, 1922. Ten witnesses, fellow I. W. W.'s, were put on the stand by the heedless defence to prove that the I. W. W. organization did not advocate force and violence. There ensued a very droll episode. On the spot the ten I. W. W. witnesses were arrested, and the admission of membership which they had made on the stand was the offence with which they were charged! After two juries had disagreed, all ten were convicted of criminal syndicalism in January, 1923, and got from one to fourteen years at San Quentin!

But we do not come to the most interesting contribution of California to juridic science until we reach what has now be-

come famous as the Busick injunction. In no other American State,—save Kansas, from which the model was imported—is it to be matched. It came to the rescue after the police and judges of the State had gone so far in the enforcement of the syndicalism act that juries began to refuse to convict. The attorney-general, annoyed by this recalcitrance, appealed to Judge Busick of Sacramento county to act as *deus ex machina* in the impasse. Specifically, the attorney-general appealed to Busick to restrain and enjoin all members of the I. W. W. in the State from ever violating its criminal syndicalism law.

To be appreciated, the super-Volstedian injunction that followed has to be read in some detail. It commands the defendants, their servants, agents, solicitors and all others acting in their aid or assistance to

> desist and refrain from further conspiring with each other to carry out or from carrying out or attempting to carry out their conspiracy to injure, destroy and damage property in the State of California and to take over and assume possession of the industries and properties in the said State as well as the government thereof; and from knowingly circulating, selling, distributing and displaying books, pamphlets and papers, or other written or printed matter, advocating teaching or suggesting criminal syndicalism, sabotage or destruction of property for the purpose of taking over the industries and property of all employers or otherwise or by advocating by word of mouth or writing the necessity, propriety or expediency of criminal syndicalism, sabotage or direct action, wilful damage or injury to physical property and bodily injury to person, or persons, or justifying or attempting to justify criminal syndicalism, the commission or the attempt to commit a crime, sabotage or violence or unlawful methods of terrorism with intent to approve, advocate or further the doctrine of criminal syndicalism, as the said terms "criminal syndicalism" and "sabotage" are defined in Chap. 188 of the Statutes and Amendments to the Code of the State of California for 1919, and from organizing, aiding or assisting to organize or extend or increase any society, assemblage or association of persons which teaches, advocates, aids or abets criminal syndicalism . . . and from doing any act to carry out the doctrines, theories and acts of criminal syndicalism. . . .

Under the California statute it is not necessary to commit any overt act of force, violence or sabotage to incur the pains and penalties of the law; to merely advocate such acts, or to attempt to justify them is a crime,—and anyone suspected of it may be brought into court under the Busick injunction and railroaded to prison without the slightest show of a fair trial. The wobbly who attends an I. W. W. meeting can be punished, not for violating the criminal syndicalism law, but simply for disregarding the injunction. Moreover, the injunction has the advantage of doing away with the provision against double jeopardy, for punishment for its violation is no bar to subsequent prosecution under the criminal syndicalism law itself!

IV

As supplying at this point some much-needed comic relief, it may be noted that in the West public school teachers are apparently regarded as sacred in their persons and offices, and that in consequence a species of contempt may be committed against them. "Every parent, guardian or other person," a law of Montana provides, "who upbraids, insults or abuses any teacher of the public schools in the presence or hearing of a pupil thereof, is guilty of a misdemeanor." A similar law is also in force in Indiana, Idaho and California, and only this year poor old Mississippi has rushed forward to put one on its books also.

Among the more haphazard inspirations of our parliaments, is a statute against peaceful picketing in Alabama which is perhaps the most extreme curb upon free speech ever heard of anywhere. Enacted in 1921, it appears to have escaped general attention. As everyone knows, picketing is illegal in many States, either at Common Law, by statute or by municipal ordinances. But the Alabama statute, not satisfied with this, declares that any person who

> shall advise, encourage or teach the necessity, duty, propriety, or expediency of doing or practicing any of the acts or things made unlawful by this chapter, or who shall print, publish, audit, issue, or knowingly circulate, distribute, or display any book, pamphlet, paper, handbill, document or written or printed matter in any form advertising, advising, teaching or

> encouraging such necessity, duty, propriety, or expediency of violating or disregarding any of the provisions of this chapter; or who organizes or helps to organize, gives aid or comfort to or becomes a member of any group of persons formed to advocate, teach or advise the necessity, duty, propriety or expediency of violating or disregarding any of the provisions of this chapter shall be guilty of a misdemeanor.

The net result is that, in Alabama, not only is the act of peaceful picketing criminal, but to suggest that it would be advisable to permit peaceful picketing is also criminal! In other words, a good many legal text-books, and such Red reviews as the *Columbia* and *Harvard Law Reviews* cannot circulate in the State, nor can, for that matter, the law reports of sister States containing decisions approving peaceful picketing. Moreover, to be merely a member of a labor union which practices peaceful picketing is made criminal.

But all these sedition laws, criminal syndicalism laws and the rest are quite recent, and, if there is one factor which makes juridic scientists distrustful it is novelty. Consequently, the statute-books have been conned by patient district attorneys for old and practically forgotten laws which could be used in present emergencies. In Connecticut, for instance, there has been revived and applied to men suspected of subversive ideas an ancient statute against three or more persons loitering upon any bridge or highway. In Maine, three wobblies have been convicted under an ancient anti-boycott law for posting up stickers and placards advising the boycotting of hostile merchants. Most famous, and best known, is the case of the director of the American Civil Liberties Union, Roger N. Baldwin, who was arrested under a New Jersey act of 1796 relating to unlawful assemblies for "riotously, routously and tumultuously" making and uttering "great and loud noises and threatenings."

With an humble desire to be of service to my country in its peril, I suggest that a whole field has been neglected in the ancient laws, still on the books in many States, which are directed against blasphemy and profane swearing. That radicals in general have little reverence for God is, alas, notorious, as is their habit of swearing upon slight provocation, especially when interfered with by the police. Hardly any *agents provocateurs* would be necessary to get them to violate these old laws. The same use can be made of the ancient riot acts. Has New Jersey forgotten another antique, still on its books, against those who "advisedly and wittingly maintain and defend the authority and jurisdiction of any foreign power, potentate, republic, kingdom or state or nation whatsoever in and over this State or the people thereof"? Obviously, it can be invoked against communists who talk of workers' solidarity and the Third Internationale. In Massachusetts Bay Colony there was enacted in 1654 a law forbidding the inhabitants to "wittingly and willingly make or publish any lye, which may be pernicious to the publik weal, or tending to the damage or injury of any person, or with intent to deceive the people with false news and reports." Kentucky has now revived this form of law—Chapter 47, Acts of 1924—and already a newspaper editor down there has been laid by the heels for flouting it.

The technique of railroading to jail questionable characters against whom the police have no evidence of actual crime is familiar to every reader of the newspapers. A common illustration is afforded by the conviction of alleged yeggs and gunmen for gun-toting under the Sullivan Law in New York. The same tactics are coming to be adopted against radicals, and are yielding rich results. In New York City recently members of the Workers' Party were arrested under a section of the penal law forbidding aliens to carry firearms: their actual act was drilling with stage muskets in preparation for a parade! More commonly radical speakers are taken from platform or soap-box and jailed for blocking traffic, or littering the sidewalk. In the West, the favorite charge is vagrancy; in parts of the East the vagueness of the crime of "disorderly conduct" serves the purpose

even better. A radical who was arrested with disturbing circulars in his possession was held guilty of disorderly conduct when he admitted that he intended to distribute them! In another case, peaceful picketing, where there was no direct ordinance against it, has been held to constitute disorderly conduct.

In general, Common Law crimes have been abolished, as dangerous in a free country, but the old crime of disorderly conduct survives. The New York legislature recently attempted to meet the objection to it in a sardonic manner. It undertook to define disorderly conduct, and pronounced it to be the use of "offensive, *disorderly*, threatening, abusive or insulting language," or acting "in such a manner as to annoy, disturb, interfere with, obstruct or be offensive to others," or congregating with others on a public street and refusing to move on when ordered by the police, or "unlawfully" causing a crowd to collect. This act not only leaves the matter as indefinite as it was before, but also creates a new crime against police authority. Even charges of murder are not too much to be resorted to against Reds, as witness the Centralia, and the Saccho and Vanzetti cases. Familiar also is the case of Carlo Tresca, politically *persona non grata* to the Italian government, against whom was employed the federal law against printing birth control information.

But the readiest weapon for dealing with radical meetings comes from the licensing power of municipalities. The Constitution guarantees the right to free speech, but where is the citizen to exercise that right? The public streets, squares, and parks of a democracy would occur to most men as suitable places. But a joker lies in the fact that the State is held to have full control over all public places, and may therefore forbid their use in its discretion. The law requires a license to be obtained, usually from the mayor, before a meeting may be held in the streets or parks. The mayors of the United States early awoke to the use which they could make of this licensing power to curb laborites and radicals, and it is only to such scoundrels that licenses are refused. Since it is practically impossible to prove an abuse of discretion, little relief can be had from the courts.

Indeed, it has often been refused even when it could be shown that the mayor had issued a blanket announcement that he would grant no permits for radical meetings. Moreover, as a matter of legal maneuvering, it is frequently most difficult to determine when to seek review by appeal and when by *habeas corpus*. Where appeal is tried, it is likely to be held by the court that *habeas corpus* would have been proper, and where *habeas corpus* is chosen, appeal may be recommended. In one of the classic cases in the reports, arising in Atlanta, Georgia, a professor desiring to speak on Socialism was refused a license by the mayor. When he attempted to speak without one, he was arrested and tried by the very mayor who had refused the license, who also happened to be *ex officio* judge of the City Court. The mayor must have been gifted with a fine sense of irony: he sentenced the professor to labor on the public works.

V

In many American cities the police have even forbidden meetings in private halls, and labor unions have been prevented from holding their regular business meetings in their own quarters. Philadelphia, for instance, controls meetings in this fashion. The proprietors of halls are given to understand that if they insist on hiring them to dangerous citizens the police will get after them. The multitudinous regulations of the fire and health and tenement-house codes are discreetly mentioned, and it is hinted to the proprietors that if they insist they will one day find themselves with their licenses revoked upon some technicality. It is practically impossible to secure judicial review in such cases.

A lawyer can no longer advise a client as to his rights merely upon the basis of

the law upon the books. He has to acquaint himself also with constabulary jurisprudence. The rules are frequently couched in very unjudicial language. Thus, the police commonly assume that a speaker who addresses a meeting in a foreign language means no good: as a jurist might put it, such a meeting is only conditionally privileged. In many places, the police regard the possession of such papers as the *New Republic* or the *Nation* as *prima facie* evidence of criminal intent. They also have their own sedition law, which forbids making speeches that are "too radical." They hold that it is criminal in all cases to resist arrest, and that all meetings are criminal which are likely to be disturbed.

All this takes no account of the effects of so-called moral legislation, nor of the custom in many jurisdictions of permitting the use of evidence illegally seized, nor of the many provisions of the national Prohibition Act which violate the constitutional provision against double jeopardy. There are innumerable prosecutions under that act after conviction under State liquor laws, and federal agents habitually use evidence which State sheriffs have illegally acquired in raids and turned over to them. I pass over, too, the abolition of trial by jury in padlock proceedings, and the occasional disbarment of bold lawyers who defend hated radicals, and the use made of State troopers, who now are commissioned in seventeen States to uphold law and order, and do so, perhaps, most ferociously in Western Pennsylvania; and the activities of privately paid deputy sheriffs in the coal-fields of West Virginia, and the whole magnificent structure of the law of criminal contempt, which confers upon judges almost complete immunity from constructive and destructive criticism.

It will perhaps have been noticed that I have been able to muster in this paper but little eloquence on the subject of the Constitution. The truth is that we are rapidly approaching, if we have not already reached, the bankruptcy of constitutionalism. The doctrine of fundamental and inalienable rights, after a century and a half, is in rapid decay. The cream of the jest is that, as the old rights come more and more flagrantly to be violated, precisely those States where they are most at a discount hasten forward with statutes making instruction in the Constitution compulsory in the public schools. Indiana, Kansas, Maine, New Jersey, and Oklahoma swelled the list in 1925. Arkansas prescribes "the essentials of the United States Constitution, including the study and devotion to American institutions and ideals"; the notorious West Virginia, the teaching, fostering and perpetuating of "the ideals, principles, and spirit of Americanism, and increasing the knowledge of the government and machinery of the government of the United States and the State of West Virginia"! In some States, it is even made a misdemeanor for a superintendent of schools to fail to provide such instruction! But Oklahoma is stingy; its act provides that this shall not be construed to "necessitate the adoption of additional textbooks." New Jersey, on the other hand, splurges: Chapter 54 of its Laws of 1924 provides that a handsomely bound copy of the Constitution of the United States, the Declaration of Independence and the Constitution of the State of New Jersey shall be presented to every pupil in the public schools upon graduation.

AMERICANA

ALABAMA

THE recreations of Men of Vision in Montgomery, as reported by the eminent *Journal:*

> The Kiwanis club of Montgomery heard the youngest orator it ever before listened to Tuesday at the weekly luncheon which was held at the Gay-Teague Hotel. Master Vaughan Hill Robinson, aged 7, the little son of Mr. and Mrs. E. V. Robinson, who has for some time been in demand as a juvenile orator, spoke with great self-possession on Alabama and its men and resources. The child's voice is clear, his enunciation distinct and his effort was quite pleasing to the Kiwanians.
>
> Prizes were won by Jack Hobbie, Williford Duskin and A. B. Berringer. The one who should first count and announce the number of grains of corn in a box was to win first prize. Hobbie won and to his surprise the favor consisted of a box of Ruy Lopez cigars which he promptly passed around. Berringer won a small ornamental pin and Duskin a jumping jack.

CALIFORNIA

FESTAL day among California blue-stockings, as reported by the eminent Oakland *Enquirer:*

> Invitations to attend the breaking of ground for the new women's prison at San Quentin Saturday were mailed to 150 California clubwomen recently. The exercises will be preceded by a luncheon.

CONTRIBUTION to the New Jurisprudence by Britt, J., of El Dorado, as revealed by an Associated Press dispatch:

> Dr. A. W. Berrow, of Smackover, was charged with forging the name of a Hot Springs pathologist to a report on a blood test. Dr. W. T. Carter, of Hot Springs, appeared as the State's star witness. Following is the colloquy which passed between the defense attorney and the witness:
>
> *Q.* Dr. Carter, do you believe in the existence of a Christian God?
>
> *A.* No. I do not believe in the existence of a Christian God.
>
> *Q.* Do you believe in a future life?
>
> *A.* No.
>
> *Q.* Do you believe in the doctrine of future rewards and punishment?
>
> *A.* No, I do not.
>
> *Q.* Do you believe that when a man dies he dies like a cow or animal?
>
> *A.* Yes, I do.
>
> *Q.* Do you believe in an omnipotent power?
>
> *A.* No.
>
> At this juncture Judge L. S. Britt ordered the witness dismissed and the indictment against Dr. Berrow quashed.

MORAL example of a Christian corporation, as disclosed in a Los Angeles dispatch:

> The J. C. Penney representatives' western convention here went unanimously on record as endorsing the policy of J. C. Penney, founder of the J. C. Penney Company, that cigarette smokers must quit the habit or the company.

OBITUARY notice in the literary Brentwood *News:*

> The folds of the Great Red Curtain have been gently lifted and William Falls has been summoned across the silver-tipped peaks into infinite space. Likened unto these words, "using his burden for a pillow he lay down by the roadside mistaking sleep for death," Bill Falls, suffering from an excruciating headache, mistook strychnine for headache powder, and in spite of medical aid and all that loved ones could do, within the twinkle of almost infinitesimal time, this beloved man bid adieu to those near and dear to him and relinquished rights to a career that his supreme, analytical mind had builded as a haven of protection, guidance and affluence for the wife and four children who, in this hour, are suffering a poignant grief that is beyond the mind to conceive.

COLORADO

MATURE conclusion of the Hon. William M. Stuart, writing in the *Author & Journalist*, published at Denver:

> Save only the clergy, I believe the editorial class represents the highest type of mentality that the country affords.

CONNECTICUT

NEW world's champion discovered in Prof. Edward F. Bigelow, A.M., Ph.D., of Sound Beach, whose lecture, "Sixty Years with Girls, the Loveliest of All God's Creations," is "based on longer personal acquaintance, more careful observations and