

the language attributed to him. In fact, a transcript of Judge Landis's words was offered in evidence, and, to use the words of one of the dissenting opinions, it was "in marked contrast with statements of the affidavit." The words of the Judge were used in pronouncing sentence on a convict, in the course of which the Judge said that one such German-American did more damage to people than thousands of them could overcome by being good and loyal citizens, and that he was an illustration of the occasional American of German birth whose conduct has done so much to damn the whole ten million in America.

In this case there were two dissenting opinions—one by Mr. Justice Day, in which Mr. Justice Pitney concurred, and one by Mr. Justice McReynolds. Mr. Justice Day said that it did not seem to him that the conclusion of the Court comported with the requirements of the statute that reasons and facts must be set forth; and that it was fraught with danger to the independent discharge of duties by Federal judges. Mr. Justice McReynolds declared that the affidavit disclosed no adequate grounds for believing that personal feeling existed against any of the defendants; that the indicated prejudice was against "malevolents from Germany, a country then engaged in hunnish warfare;" that the words of the Judge showed "only deep detestation for all persons of German extraction who were at that time wickedly abusing privileges granted by our indulgent laws;" that "a public officer who entertained no aversion towards disloyal German immigrants during the late war was simply unfit for his place;" and that "while 'an overspeaking judge is no well-tuned cymbal' neither is an amorphous dummy unspotted by human emotions a becoming receptacle for judicial power."

Apparently, if Americans do not want defendants in the future to escape as Berger and his associates have escaped they will have to see that Congress changes the wording of the law that has been interpreted in this case.

INVADING CHILDREN'S RIGHTS

CHILDREN throughout the country should tell their parents to be on their guard against the invasion of playgrounds either by the local or the Federal government. Two cases which give point to this warning have occurred recently in New York City.

A few years ago the children of the upper part of the city became the richer by the acquirement of a playground in East 101st Street. It is the only playground in the neighborhood. It serves the five or six schools within accessible distance. It has a large daily attend-

ance. It is open the year round. The Board of Education needed a site for a new schoolhouse. It was proposed to use this playground. The Parks and Playgrounds Association instantly opposed the project, and the Association's efforts, so it informs us, have met with such success that the Board of Education has now withdrawn from its willingness to accept the playground as a school site.

But the United States Government has not withdrawn its request to use part of the Jacob Riis Park at Rockaway Point, the only public park on the ocean frontage. Readers of *The Outlook* will remember the strenuous efforts of Mr. Riis and others to secure this property, which was appropriately named for him—the Jacob Riis Park. It comprises over 260 acres and cost \$1,343,000. During the war the Navy, in the defense of the approaches to New York City, put up some buildings at one end of the park and later applied for the use of 190 acres for a naval air station. The request has now been reduced to 94 acres, which includes the property on which the navy buildings are located. The naval officials argue that the use of this property is necessary for the defense of New York City. There seems to be no reason, however, why the city's defense could not be equally well served by the acquirement of other property at Rockaway Point or even by the acquirement of property on Staten Island. The proposition appears to be an encroachment on the rights of the people. Not only is the Jacob Riis Park a present necessity, but twenty years hence, when the population of Greater New York will presumably have doubled, it will be a necessity to the Borough of Queens alone. It is to be hoped that the city will not surrender an inch of the property which belongs to its children. If the children were organized in such a Junior Municipality as has been recommended by "Daddy" George, they would have a chance to protect themselves and to make their just protests felt.

A CONSERVATION CREED FOR BOYS AND GIRLS

THE New York State Conservation Commission, under the leadership of Mr. George D. Pratt, Commissioner, has started a campaign among the young people of the State for the conservation of wild life and the preservation of all natural resources. It issues the following creed:

I BELIEVE that "God has lent us the earth for our life. It is a great entail. It belongs as much to those who are to come after us as to us, and we have no right, by anything we do or neglect, to involve them in any unnecessary penalties, or to deprive them

of the benefit which was in our power to bequeath." (Ruskin.)

That, in a great democracy of free people, the protection of wild life and the preservation of all other natural resources, which underlie national prosperity and happiness, must depend finally, as does the stability of the government itself, upon the support and willing service of every citizen.

I therefore declare my adherence to these principles, and enroll myself as an active Conservationist of the Empire State.

If this pledge is signed, with name and address, and mailed to the Conservation Commission, Albany, New York, the Commission will immediately return, postpaid and without charge, a rose gold-finished pin, which will identify the wearer as a Conservationist of the Empire State. With the pin will also be sent a Conservationist card containing the principles of the creed, designed for permanent keeping.

The Commission has already distributed about 10,000 of these emblems to people all over the State, and is at present especially interested in getting boys and girls enlisted in the cause. The instilling of the principles of conservation in this element of the State's population will no doubt prove an invaluable help to the movement in the future. Boy Scout organizations may appropriately take action in this matter and help on the movement.

ATHLETIC SCULPTURE

NOT every man's career is equally distinguished in science and art, as is the career of Dr. R. Tait McKenzie. He is a Canadian. He was educated at McGill University, Montreal. He was an honor man in athletics. He became a lecturer on anatomy in the Medical School. He also lectured on anatomy and art before the Montreal Art Association, at Harvard University, and at the St. Louis Exposition in connection with the Olympic lecture course there.

Seventeen years ago he accepted a call to the chair of Physical Education at the University of Pennsylvania. There he organized the medical examinations and developed courses in physical training.

In 1915 he volunteered for military service in the war. He rose to the rank of major in the R. A. M. C. His efforts for the reconstruction of disabled men established through his ingenious appliances for muscular re-education, became widely known.

Meanwhile he had been busy on the art side as well. Inspired by the examples of the nude constantly passing before him, he began to express himself in sculpture—in statuettes, in larger figures, in medallions, masks, plaques, medals. He exhibited at the Royal Acad-

FOUR DIFFERENT OUTLOOKS

IN CARTOONS AS SELECTED BY OUTLOOK READERS

(See offer on page 280)

Sykes in the Philadelphia Evening Public Ledger



WELL, WELL, HERE WE ARE AGAIN!
From Frederick Elssler, Philadelphia

Sykes in the Philadelphia Evening Public Ledger



COME ON, 'BR'ER GROUNDHOG, LET'S GET AN
EARLY START
From Charles Gillingham, Philadelphia

Darling in the Macon Daily Telegraph



WE DOUBT IF THE BEST MOTHER-IN-LAW IN THE
WORLD WOULD BE MUCH OF AN ASSET ALONG ON
THE HONEYMOON
From Grace E. McGowin, St. Simon's Island, Georgia

Thomas in the Detroit News



PICKING THE RIGHT CLUB