

EDITORIAL

## THE BRANDT CASE.

By DANIEL DE LEON

**A**LL the facts are not yet “in court” respecting the Brandt case. Nevertheless enough facts are in to conclude that no financial scandal, of the many that have periodically convulsed the inner circles of our Ruling Class, has yet broken out equal to this.

While previous scandals were pivoted upon crooked financial transactions, and frequently ramified into political or governmental chicanery, in this instance the pivot is not “cash.” In this instance “cash,” though figuring prominently, only furnishes the background. Pivoted upon an as yet not accurately ascertained pivot, the scandal has ramified into all directions, until now it engulfs household secrets, gubernatorial interests, judicial standings, police misconduct, “lawyers of high standing’s” performances—an inverted Dreyfus case.

The facts, so far elicited and of a nature that no subsequently discovered facts can affect, are:

Folke E. Brandt, a young Swede, barely in possession of the English language, was employed as a valet in the home of Mortimer L. Schiff, the millionaire son of the millionaire banker Jacob H. Schiff of dummy-directorate celebrity. One day, more than five years ago, Mortimer set the wheels of the law in motion against his valet on the charge of burglary. Mortimer’s legal agent in the proceedings was Howard S. Gans. The wheels moved rapidly, Brandt was sentenced, upon a plea of guilty, by Judge Otto A. Rosalsky, and sent to the Dannemora penitentiary for thirty years. This is the synopsis of the affair.

Now to the details:

Brandt having pleaded guilty, there was no trial, and it became incumbent upon the Justice before whom he was brought to examine the prisoner. Brandt’s answers—the examination has since been published—conflicted with his plea. They

showed he was not guilty as charged. This notwithstanding, Judge Rosalsky sentenced him to thirty years in the penitentiary on the charge of first degree burglary.

In passing sentence, the character of a prisoner is taken into account. Ordered by the Chief of the Detective Office, William W. McLaughlin, a subaltern named Wooldridge signed and presented to the Judge what purported to be Brandt's record, showing him to have been discharged by six employers for criminal conduct.—It is now established that four of the six former employers give Brandt a good character; the fifth turns out to be a fiction; and the sixth denies having given the answer attributed to him.

A second category of facts is the following series:

First.—Mortimer L. Schiff's letters to the effect that Brandt had written scurrilous letters about Mrs. Schiff;

Second.—Mr. Schiff's employment of such distinguished, hence, expensive counsel as Judge Alton B. Parker to prevent the Governor from extending clemency to Brandt;

Third.—The letters of Mr. Schiff's lawyer Gans to the Detective Bureau, pushing for a long sentence;

Fourth.—Mr. Schiff's payment of \$50 to Brandt; finally,

Fifth.—Brandt's statement, sustained by his examination, that he had been promised a short sentence if he pleaded guilty.

There is still a third category of facts. It may be condensed as follows: Although poor, an alien and uninfluential, a tremendous force has been set in operation in behalf of Brandt after he had served five years of his term.

A bunch of questions are prompted by these undeniable facts. The questions fall under two heads:

First Head—

Did Judge Rosalsky act ignorantly, or did he act corruptly?

Did the Detective Office in giving the prisoner a false character, and the Judge in falsely sentencing him, act under pressure of one common force?

If so, what force was that?

Second Head—

What is the force, powerful enough to have set in motion the whole machinery

of the law in behalf of a friendless victim?

Answering, tentatively, the question under the second head first—it is obvious that that force is not the force of Righteousness. When the facts shall all be unearthed it will be found to be a case of Swine rending Swine.

As to the question under the first head, the force in motion recalls the cynical inhumanity of the old Roman Empire patriciate when slaves were fed to rare fish in the ponds, or their throats cut to satisfy the whim, or bury ugly secrets of their masters.

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