

P.J. - Sunoco Monday, Feb. 13, 1939.

(The retirement of Justice Brandeis will enable President Roosevelt to make his fourth appointment to the Supreme Court.) This event has not been unexpected. Mr. Brandeis is eighty-two years old, was ill several months, absent from the bench. Furthermore, there have been reports around Washington ~~x~~ for some time that the aged justice wanted to devote all his time and energy to help in the cause of distressed Jewish refugees. He has <sup>long</sup> ~~always~~ been ~~most~~ keenly interested in the resettlement of Palestine.

Justice Brandeis's letter of resignation is one of the shortest on record. He merely wrote: "Dear Mr. President:- Pursuant to the Act of March First, Nineteen Thirty-Seven, I retire this day from regular active service on the bench. Signed Louis D. Brandeis."

By that Act of two years ago, Supreme Court Justices may retire on full pay at any time after they're seventy, ~~years old~~. That is, providing they've served ten years on the bench. That also means that Justice Brandeis can be called upon from time to time to sit in emergencies as presiding judge

in the lower courts. For example, after Justice Vandevanter had retired, he sat on the bench in district courts.

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Of course The Brandeis retirement opens up an eager speculation, "Who will be the next Roosevelt appointee to the highest court in the land?" Several judges of the Circuit Court of Appeals have been mentioned in the last few years, particularly Judge Florence Allen, the only woman jurist on ~~the~~ *the* ~~that high tribunal~~ *Circuit Court*.

Twenty-two years have passed since the bitter controversy that sprang up when President Wilson nominated Louis D. Brandeis to the Supreme Court. Conservatives in the Senate fought the nomination fiercely. It wasn't affirmed until almost six months after the President had sent his name to the Senate. He was the first Jewish judge to sit on that high bench and it was said that one or two veteran colleagues resented him almost openly. One of the objectors was Chief Justice Taft. But after he had known Brandeis for a while, Taft sought him out deliberately, offered his hand and friendship and tacitly an apology for his previous antagonism.



8  
For a while Brandeis was in a minority of two on the Supreme bench. Opinion after opinion would be handed down with the phrase: "Mr. Justice Holmes and Mr. Justice Brandeis dissent." He lived long enough and sat on that bench long enough to find himself one of a majority, ~~as overwhelming as was once the majority of conservatives that used to oppose him.~~

TOWNSEND

Dr. Francis Townsend is ~~going~~ to have his inning before the Ways and Means Committee of the House of Representatives. With him will be two United States senators, Democrat Claude Pepper of Florida and Republican Gerald Nye of North Dakota. It was Senator Pepper who introduced the bill for the Townsend Old Age Pension Plan in the Senate. Townsend and the two Senators will appear before the Committee on Thursday and tell them all about it.



DILLING

Here's a hot one from Mrs. Elizabeth Dilling author of *the book,*  
*vivacious*  
of "The Red Network". She is the lady who runs around the

country finding a Communist in every wood pile. In the "Red

Newtork" she included Mrs. Roosevelt as among the Communist

sympathizers. *Now the sprightly Mrs. Dilling has*  
~~she has now discovered a new Red conspiracy. It's~~

*discovered*  
a Communist plot to separate the South from the North and

establish a Soviet Union below the Mason and Dixon line.

Mrs. Dilling told ~~this~~ to the people of Milton, Massachusette

at a Lincoln Day celebration. She also told the Miltonians

that the Supreme Court of the United States is ~~Communistically~~

*Said she:-*  
Communistically inclined. ~~"Moreover," says Mrs. Dilling,~~ "our

leading government officers are controlled by people willing to

carry out the Marxist program for Communizing *the* country." *So*

*says the red-haired red-hating*  
*Mrs. Dilling.*

Senator Robert LaFollette's Committee on Civil Liberties turned in a report today. It recommends a new United States law. This would be a law to regulate the private police forces employed by industrial corporations. In so many words, it said: "The functions of private police systems should be restricted to the protection of plant and property."

The report denounces private police systems used as instruments of anti-union policy.

*It's been a long time since the Republicans have enjoyed any such abundance of ground and senators.*



## REPUBLICANS

On my way to the studio I ran into a crowd of men that looked like a Republican convention. There were, for instance, Governor Saltonstall of Massachusetts, Governor Carr of Colorado, Governor Fitzgerald of Michigan, Governor Baldwin of Connecticut, Senator Wylie of Wisconsin; Senator McNary of Oregon, leader of the Republicans in the Senate, and John D.M. Hamilton, National Chairman of the G.O.P. There too was Herbert Hoover, Ex-President of the United States. ~~They were~~ All in New York for the big event of tonight, the Lincoln Day Banquet at the Waldorf, the most important such celebration since Nineteen Twenty. The speech of the evening will be made by Mr. Hoover. In the chair will be John J. Hopkins, former Assistant ~~of the~~ Secretary of the Treasury. Senator McNary is going to speak too as well as six ~~of the~~ Republican governors.

It's been a long time since the Republicans have enjoyed any such abundance of governors and senators.

## ROOSEVELT

President Roosevelt ~~for the first time in several~~  
~~months~~ did not go to the Executive Offices of the White House  
today. He was recovering from a slight attack of grippe so  
Dr. Ross McIntire advised him to stay in his own quarters.  
~~So~~ The affairs of the nation today were directed from Mr.  
Roosevelt's bedroom on the second floor of the White House.  
There he was visited by Secretary of State Hull, Under-Secretary  
Welles, and ~~the Honorable~~ Sam Rayburn, Majority Leader in the  
House.

There's nothing serious about the President's  
indisposition, temperature normal and all that sort of thing.  
Dr. McIntire says he'll be well enough to leave Washington  
Thursday night and go to Florida. There he'll board one of  
Uncle Sam's cruisers and have a look at the manoeuvres of the  
fleet."



## DEFENSE

2  
The Senate's Committee on Military Affairs took a vote on the issue of publicity today. The question was whether the public should be told about the help that the government is giving to the French mission which is over here proposing to buy six hundred American airplanes. Senator Bennett Clark of Missouri and others thought all the information about this should be made public. But a majority of the Committee decided No today. The vote was ten to six. Said Chairman Sheppard of Texas: "We should keep faith with witnesses who gave us confidential information."

## POPE

The Congress of the United States broke all precedent today. Both Houses met for ~~just~~ brief sessions, which were taken up entirely with eulogies of the late Pope Pius the Eleventh. ~~Thereupon, by unanimous consent,~~ <sup>Then</sup> the House and the Senate adjourned until Thursday as a tribute to the memory of the dead Pontiff. ~~That is to say, the~~ <sup>consent</sup> ~~Senate~~ was unanimous in the Senate. In the House just one "No" was heard when Speaker Bankhead put the resolution.

~~This was contrary to all precedent. Although by the~~  
~~Lateran Treaty between the Pope and Mussolini, the Church became~~  
~~a temporal power once more, nevertheless, Uncle Sam has no~~  
~~diplomatic representative at the Vatican.~~



## O'CONNELL FOLLOW POPE

Cardinal O'Connell of Boston, arrived in New York from Bermuda today and will sail for Italy on Wednesday, hoping to be in time for the conclave of the College of Cardinals, which will elect the new Pope.

## WAR

(The civil war in Spain came to life again today with another ferocious bombardment of Madrid.) Yesterday the batteries of General Franco's armies started to drop a *terrific* ~~monstrous~~ shellfire on the city. The Republican batteries replied. Franco air squadrons also staged bombing raids in harbors of the Republican naval base at Cartagena and the harbor of Alicante.

At the same time Franco is making the naval blockade of Valencia even tighter than it was before. There was a raid of air bombers at Valencia also.



## CRUISERS

Some months ago ~~Duce~~ Mussolini sent a couple of his crack warships on a good-will tour. They were to make the round of Latin-American ports, show off the good looks and efficiency of Italy's men-o-war, and so forth. The idea of course was to build up Italian prestige south of the Rio Grande, and possibly it was hoped by indirection <sup>to</sup> drum up a little trade <sub>^</sub> for Italian exports.

Unfortunately for the official plans, the cruise didn't altogether pan out that way. Mussolini's cruisers were received coldly in some places, with acts of hostility in others. At Panama, the officers and men of the DUCA d'AOSTA were welcomed with eggs.

~~Meanwhile,~~ The other cruiser, the SAVOI<sup>a</sup>, was greeted with an anti-Fascist demonstration at Costa Rica.

So today the Duce recalled his cruisers. The explanation was that their mission had been fulfilled.

## BATTLESHIP

~~There are going to be~~ Big doings in Germany's port of Hamburg tomorrow. The first of Hitler's large sized battleships is to be launched. She's a thirty-five thousand tonner, with eight fifteen-inch guns and twelve six-inch. ~~guns~~ ~~she is~~ Seven hundred and ninety feet long and a hundred and eighteen feet wide.

She'll be sent down the ways with full ceremonies, *and* the Fuehrer himself will crack the bottle of wine across her bows and make one of his melodramatic speeches.

~~Tomorrow will be a workers' holiday in Hamburg.~~  
~~The Fuehrer arrived there late this afternoon.~~



## GERMANS IN PARIS

The German Ambassador to Paris made a complaint to the French government today. The French authorities had ~~xx~~ sent twenty-six Germans home, saying they were suspected of being spies. What's more, three German newspapermen in Paris were arrested and their homes searched. Hence the <sup>German</sup> complaint.  
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HAINAN

The Japanese occupation of the Island of Hainan, off Indo-China, continues to excite a number of statesmen, and others. For instance, here's an editorial from Manila in the Philippine Herald. That Hainan business has people in the Philippines gravely alarmed. And the editorial maintains that "the occupation is a threat to the safety not only of French Indo-China but also the Philippine<sup>S."</sup> ~~Islands.~~

To all this the Japanese Foreign Office says that there is no cause for excitement. The Mikado's government has no permanent territorial ambitions with regard to Hainan Island. It's just a temporary occupation, a matter of military necessity while the war in China is going on. ~~Others, however, declare that the occupation of Hainan has no possible strategic bearing on that Chinese war.~~



## PLANE

There's something particularly exciting and dramatic about accidents in Alaska. Yesterday morning a plane took off from Ketchikan. At the controls was <sup>Pilot</sup> ~~the famous~~ Lon Cope, <sup>hero of</sup> ~~principal actor in~~ many a mercy flight. He has frequently flown supplies to marooned communities, taken physicians and medicine through the air to people who might otherwise have died.

With Lon Cope in his plane, equipped with pontoons, were three traveling salesmen. After Cope had taken off at Ketchikan, he ran into one of the chief perils of that sub-Arctic country. It was the dreaded "Taku wind", one of the fierce storms that blow off ~~the~~ Taku glacier. Shortly after noon the ~~XXXXXX~~ Marine Airways base at Juneau heard Cope's voice. He reported ice on his wings and said he couldn't keep aloft, was being obliged to come down on the stormy icy waters of the Juneau passage.

Since then there has been complete silence. Planes have been sent out to search for him, but the fogs that followed the blizzard made the search futile. Uncle ~~XXXXX~~ Sam's Coast Guard cutter and a boat of the Bureau of Fisheries is patrolling

the waters of the passage, looking for the ~~the~~<sup>the</sup> pontoon plane.

Further south in the State of Washington, fifteen  
airplanes were flying hither and yon, ~~looking for Pilot~~<sup>hunting for</sup> Roy

Schreck, ~~He~~ an observation pilot attached to Uncle Sam's

Weather Bureau. Early Sunday he went out on a routine

observation flight and hasn't come back. ~~Neither is there any~~

~~trace of his plane. Snowdrifts and sub zero weather are~~

~~encountered around Spokane.~~



## VOODOO

A wierd tale of black magic and witchcraft comes from Philadelphia, of all places. For some time detectives of the big life insurance companies have been investigating what they believe to be a conspiracy:- the murder-for-insurance racket I mentioned a few weeks ago. A tailor named Paul Petrillo of South Philadelphia, is being held for the grand jury. The police say that this Petrillo was in the business of giving lessons in black magic. For a dollar apiece, he handed out complete instructions for the casting of spells. And, say the authorities, as his pupils graduated, deaths occurred in their families. Some deviltry that seems to be mysterious. They say Wizard Petrillo learned the balck art from a negress, a voodoo high priestess.

A witness against Petrillo is his twenty-eight year old nephew who is serving a sentence in Sing Sing forhaving loved his s weetheart so much that he killed her. This nephew says that his voodoo uncle tried to send him to the electric chair because he knew too much. A weird tale of Voodoo in Philadelphia.

CITIZEN

8 1/2  
Thirty-three years ago a nine year old boy came to the United States from Italy. He went out to Milwaukee, grew up there, and in Nineteen Seventeen, went over to the western front with the American Expeditionary Force. When he came back he took up the trade of a paper mill worker, a trade at which Frank Rusoti, that's his name, is working today.

59  
Last month Frank Rusoti's father died in Italy. He was a civil engineer, a man of means. He left a tidy estate to young Frank in Milwaukee, but there was a string tied to it. To inherit that money Frank had to go back to Italy to live. Today he decided that was too stout a string for him. "I'm relinquishing my claim to the money," he says. Then he added: "My American citizenship means more to me than any other possession. I'd rather be a mill worker here than King <sup>in</sup> ~~of~~ Italy."

59 1/4  
+ s - l - u - t - m .