

GOOD EVENING EVERYBODY:

I'm in Washington again, tonight. And on all sides today we have been hearing talk of the Supreme Court. There's a term often applied to the Supreme Court of the United States - the nine old men. And today the oldest of them celebrated his eightieth birthday, Mr. Justice Brandeis. Not so long ago he celebrated his twentieth year in the high tribunal. He was appointed to the court by President Wilson in Nineteen Sixteen. Then he was denounced in many quarters as a dangerous labor radical. In his Supreme Court career he soon became known as the great dissenter -- against many a judgment handed down by the conservative majority. In recent years he has been rather less of a dissenter.

Each of the nine justices has his own mannerism, while the court reads its decisions. Chief Justice Hughes rubs his nose. Justice Sutherland strokes his beard. And so on from one to the other. Justice Brandeis usually sits reading. He doesn't have to listen, he has already read everything connected with the case, and knows every word of the decisions in advance, having read them. So while the reading goes on, he is busy with a book, something about the sociology of ancient Rome, or medieval economics, or modern labor problems

Of German-Jewish extraction, Justice Brandeis is an ardent Zionist, and today among a shower of congratulations came a tribute from the leaders of Jewry in Palestine. That same Palestine about which I am scheduled to speak before the Nat. Geographic Society tonight.



## CONSTITUTION

What, no Constitution? No Declaration of Independence?

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The state of the nation must be in a bad way. The ~~trut~~ trouble, however, is with a stately white building in Washington built like a Grecian temple - the most magnificent marble vaulted edifice in the national capital. Its bronze doors swung open to the public today. The shrine -beautiful and perfect in every way, except - no Constitution, no Declaration of Independence.

The Grecian temple was begun by President Hoover in Nineteen Thirty-two, as a place for these two monumentous documents to be kept. The difficulty was, that nobody took the trouble to consult Congress. The Constitution and Declaration of Independence are in the Library of Congress, under congressional control. That's where they are tonight, with Congress showing no intention of giving them up. An executive order by President Roosevelt could do the trick, but the President hasn't made any move either.

So the shrine to the Constitution and the Declaration of Independence opened its doors today - something like Hamlet

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without the Dane, cocktail sauce without the oysters, the annual auto show without any autos, Oscar without the Waldorf, a tail without a dog.



## CRIME

Today in a New York police station - the truth was told. It was spoken in a situation of hysterical drama, and it's as savage a word of truth as has ever come from human lips. The worthwhile part of it is - that this monstrous truth also spells doom.

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In that station house, prisoners were being questioned about the hold-up of a Brooklyn saloon, where the robbers had blazed away with murderous guns, one man killed, another wounded. The prisoners were men and women, one woman a handsome young blonde. Detectives questioned them insistently - a long drawn out nerve-racking interrogation.

It looked as though they would never get the truth out of Anthony Garlaus. He had nerves of iron. He denied everything, denied he had fired the deadly shot, denied he had been in the hold-up at all. It looked as if he would never talk.

The detectives questioned the handsome young blonde, and she was on nerves' edge. They led her from one room in the

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station house to another, and on the way she passed Garlaus. When she saw him she screamed: "Tony, why don't you tell the truth?" With that the man broke down. He was ready to talk. The truth extracted from him in that hysterical, melodramatic way; he told it in full<sup>---</sup> truth for a fiend to tell.

Twelve years ago, he said, he formulated one dominating motto- never give a sucker a break. Then he held up a grocery store in Jamaica, Long Island, and the clerk behind the counter begged: "Please don't shoot!" "So I gave the sucker a break," the gangster relates. And adds - that as he made his getaway the clerk yelled the alarm. The robber was caught and sentenced to twenty years in Sing Sing. And right there he said - "Never again." Never again would he give a sucker a break.

After years in prison, he was released six months ago, and proceeded to put his maxim into effect. He admits that in fifteen hold ups, he has shot four men - including the victim who was killed in that Brooklyn saloon robbery wanton murder, <sup>the police were working on,</sup> <sub>^</sub> He never gave a sucker a break! <sup>now</sup> and the law won't give him a break!



GENERAL

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Kentucky was agog today over a murder case. And no wonder, when we look at the record of General Denhardt, prominent in war and politics. He is the man accused. He was a prosecuting attorney, a judge and an important newspaper publisher. During the World War he was a hero at St. Mihiel and the Argonne, was honored with citations for bravery and received promotion in rank. Denhardt has been Kentucky Commander of the Veterans of Foreign Wars, and State Vice-Commander of the American Legion. He was made Brigadier General in the Kentucky National Guard. He commanded the 149th Kentucky Infantry, and the 150th West Virginia Infantry. A dozen years ago he was in charge of the troops that suppressed a spectacular outbreak of rioting. He directed the attempts to rescue Floyd Collins in that famous incident of a man trapped in a cave. <sup>^</sup>Curiously enough a moment ago at the Willard Denhardt was Lieutenant-Governor of Kentucky, the pinnacle of his career.

I met Wm Burtas Miller, now of the N.B.C. who crawled in with food for the trapped Floyd Collins.

Tonight this distinguished personality is accused of the murder of his fiancée. She was found shot to death -- his .45 automatic beside her.

The 60-year old General <sup>today</sup> relates <sup>d</sup> that he took his 40-year old fiancée for a drive. The car stalled. He went to get help. When he returned, with several men to aid him, they found the body.

He claims it was a case of suicide. At the inquest, he refused to testify -- saying that his lawyers had forbidden him to. He was willing, but they said "No." So he maintained his silence -- and then and there was arrested. <sup>Tonight</sup> ~~Today~~ General Denhardt <sup>has been released on</sup> ~~is out on a~~ 25-thousand dollar bail. So it's a murder charge against a General, former Lieutenant-Governor of Kentucky, and of a long and distinguished career.



Today, however, the news brings an angle that's vividly easy to understand: Theories of politics, economics, and industry are far away for most of us. But the law is close to us. We all know about court rooms and trials, lawyers and judges. So, when we learn today that the corporative ideas of Fascism have revolutionized the administration of law, we may expect something rather easy to grasp.

Mussolini decrees; - that all courts be abolished!

No more trials, with judges presiding, juries rendering verdicts and lawyers making pleas. Law, as we know it, is a sort of game - with issues decided partly by the merits of the case and partly by the skill of the lawyers, their cleverness in playing the game. But in ~~Italy~~ Italy hereafter, legal disputes will be decided by committees, boards appointed by the State. And the lawyers will be State employees. They won't get fees from clients, they'll be paid salaries - like any other sort of official. The idea propounded is - the lawyers then won't be so much interested in winning a case as in bringing out the truth and facts clearly. No more smart

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legal moves at trials, no more passionate appeals to juries.

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All of this is revolutionary enough, but the ~~Fascist~~  
Fascist law reform goes still further. The committees that  
will decide disputes of law, won't be just so many citizens.  
They'll be selected according to the <sup>new Fascist</sup> corporative state idea:—

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Suppose there's a law-suit concerning a transaction in the  
automobile industry. The Committee will be picked from members  
of the guild of automobile manufacturing - the Italians call  
a guild a corporation. If there's a dispute about wheat, then  
the committee will be selected from the membership of the  
guild that includes grain farmers, wheat mills, the whole  
wheat industry. In that way cases in any business will be  
decided by committees belonging to that same business. Verdicts  
in labor cases will be given by labor committees.

But what about criminal trials? Crime often has nothing  
to do with any industry. So justice in criminal affairs will be  
dispensed by committees appointed by the Minister of the  
Interior.



The whole new legal system will be controlled by the idea that individuals are not the main thing, The interests of the State come first. That's in harmony with the general tendency of Fascism -- Communism too, for that matter.

Another thing in today's Italian edict is the abolition of the special court to try political crimes; against the lives of Mussolini and other high officials. The court that has pronounced death sentences on half a dozen conspirators during the ten years of its existence. Abolished now because there's so little opposition in Italy to Mussolini and Fascism. No longer needed.

SPAIN

In Spain today it takes something on the ground to explain the spectacular doings in the sky. The Left Wing government has established a new air base. That accounts for the air fight that flashed over Madrid today in the biggest cloud-land battle of the <sup>Spanish</sup> civil war.

Hitherto, the military airports of the capital have been way beyond the outskirts of the city. So the defense planes had to fly <sup>quite a distance</sup> ~~all the way in, maybe a dozen miles,~~ before they could go into action <sup>to defend</sup> ~~above~~ the city <sup>And —</sup> ~~proper.~~ The Fascist sky squadrons were able to make a quick dash and drop their explosive cargoes before the defending planes arrived on the scene.

Now, it's different, claims Madrid. They say that a new air base has been established right in the city, just where, we aren't told. That's kept a military secret. The Left Wing authorities add that on that new flying field they have more than seventy fighting planes, pursuit ships to go after the Fascist bombers.



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That's the background for today's spectacle of five Rebel bombers escorted by nine pursuit planes in a wild <sup>air</sup>~~dog~~ fight with twelve Left Wing fighting ships. A million and a half people gazed skyward and watched the <sup>battle right above</sup>~~deadly gyrations of~~ <sup>them in the sky.</sup>~~the air fight.~~ They saw two planes shot down and fall crashing into the city. <sup>In fact</sup> The Socialists claim ~~that~~ they shot down six of the Fascist sky fights, while two of their own were destroyed in the combat. So the Left Wingers are shouting air victory tonight.

However, that was only sky episode Number One. Later in the day, another fleet of bombers flashed out of a bank of clouds and dropped bomb after bomb. They blasted the Madrid <sup>7</sup> ~~line~~ of fortifications with devastating explosions. Oncemore the defending planes, presumably from that new secret airport, took off for the fight. But on this occasion they didn't get there on time. The Fascist squadron, having done its deadly work, darted back into the convenient cloud bank, whence it had come, and got away.

As for ground fighting, the news tells of a Socialist counter-attack against the Rebel armies. The fighting is still going on. General Franco's headquarters is claiming that the Red artillery is firing gas shells.



## GHANDI

The story of famous men and their sons is a long one -- and often a little disheartening. The latest comes from far-off India, it concerns <sup>a</sup>~~no~~ celebrity <sup>no</sup> less than Mahatma Gandhi. That seer and saint practices an Oriental philosophy of patience, of passive long suffering. He had gone through many an ordeal, prison, humiliation, disappointment, but I don't suppose any one has ever given him a heavier burden to bear than his son Hiralal.

We heard sometime ago how Hiralal, son of Gandhi had turned against his father and against the <sup>broader aspects of the</sup> religion of Hinduism, of which Gandhi has been a ~~very~~ fervent apostle. Hiralal became a Moslem. He joined the Mohammedans <sup>who are</sup> professed enemies of the Hindu religion.

Now we hear how Hiralal in his Islamic fervor went still further. He made a speaking tour, publicly denouncing the doctrines of his father. Further than that, the news becomes rather paradoxical. We are told that Hiralal took to drink. That's odd, because Islam is strictly a prohibitionist religion,

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all alcoholic beverages <sup>are</sup> forbidden <sup>by the Koran.</sup> However the word from India is that Hiralal, after his conversion to Mohammedanism went on a long series of Hindustani benders. Hiralal seems to be quite a wayward young Moslem or Hindu or what.

You can fancy the scandal that all this made in India and what a heartbreaker it was for Mahatma Gandhi. <sup>(Billy Sunday had a similar cross to bear)</sup> But now it seems to be at an end <sup>in India --</sup> thanks to Gandhi's wife, Hiralal's mother. She made a solemn public appeal to her wayward son. And it worked. Hiralal, ~~xxx~~ we are told has come back in sorrow and repentance, making peace with his father, making peace with Hinduism.

Today Gandhi and his son Hiralal are on proper paternal and filial terms once more. And tomorrow is the day set for the ceremony in which Hiralal, renouncing Islam, will be ~~purified~~ ~~and~~ taken back into the fold of Hinduism. — Tomorrow

Hiralal will be purified. So so long until tomorrow — until Monday I should say.

(recall)

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