

L.T. - SINOCO. MONDAY, FEBRUARY 27, 1939

GOOD EVENING EVERYBODY:

The highest court in the land spoke ^{today,} ~~with a vengeance~~

~~today~~ If not the most important, it was certainly the most spectacular decision in months. ~~It was a~~ thundering denunciation of sit-down strikes. They are not only illegal, says the Supreme Court, they are acts of force and violence.

And the ruling, incidentally, was a sharp rap to the knuckles of the Labor Relations Board. In not only this case but in two others, the N.L.R.B. was emphatically reversed.

They were not unanimous decisions, however, the vote in each case was five to two. Dissenting were President Roosevelt's New Deal Justices Hugo Black and Stanley Reed. Felix Frankfurter took no part in these cases.

The sit-down decision was made in an appeal brought by

the Fansteel Metallurgical Corporation of North Chicago, Illinois,
~~there was~~ ^{which had} a sit-down strike, followed by an injunction from the
County Court restraining the strikers. ~~They~~ ^{who} ignored the injunction.
The National Labor Relations Board stepped into the argument,
upheld the strikers, and ordered the employers to reinstate the
thirty-nine men that had been fired for sitting-down.

^{The} Fansteel Corporation appealed and Chief Justice Hughes ^{today}
writes the opinion. On the one hand, the Supreme Court held that
the Fansteel company had been guilty of unfair labor practices.

But, said the opinion, the sit-down strike was illegal in its
inception and prosecution. And it adds: "The company's unfair
labor practices afford no excuse for the seizure and holding

of its buildings." It says also: "We are unable to conclude
that Congress intended to compel employers to retain persons
in their employ regardless of their unlawful conduct or to
invest those who go on strike with an immunity from discharge
for acts of trespass or violence. The action of the strikers,"
said the Chief Justice, "was not a mere quitting of work and

stating of grievances. It was an illegal seizure of the buildings in order to prevent their use by the employer in a lawful manner and thus by threats of force and violence to compel the employer to submit." Then he says: "When the employees resorted to that sort of compulsion they took a position outside the protection of the law."

The²~~se~~ thirty-nine sinner-downers also appealed to the Supreme Court. [^]
They appealed
from decisions of the Illinois courts sentencing them to jail for contempt. This appeal the Supreme ~~Court~~ Court ignored, so the thirty-nine have to serve their prison sentences.

And in another case, the high tribunal reversed the Labor Relations Board because it had issued an order based on findings directly contrary to the evidence. That was a case involving the Sands Manufacturing Company at Cleveland.

This ruling on sit-down strikes will of course have long and wide repercussions. People in Washington today were wondering how it rang in the ears of the new Attorney General, Frank Murphy. It was while he was Governor of Michigan that this epidemic started and he was vehemently criticized for not taking a strong hand and rejecting the down-sitters, ~~at the points of the bayonets of the National Guard.~~

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BLACK

Another of the rulings handed down in Washington today had a spectacular aspect. It was on an appeal by a negro from the Louisiana courts. The decision was unanimously in favor of the negro and it was written by Associate Justice Hugo Black, once a member of the Ku Klux Klan.

The negro was tried and convicted of murder and sentenced to death. He claimed there had been a breach of his constitutional rights. He was tried on an indictment handed down by a grand jury on which negroes were not allowed to sit. Consequently, said this convicted man, he was not given a proper and lawful trial.

The high justices agreed without a dissenting voice, *was written by Mr. Justice Black. Said he:-*
~~The decision ~~was Black's~~ "It is just as contrary to the law to exclude negroes from grand juries as from trial juries."~~
TF So the Supreme Court of Louisiana is reversed and the death sentence set aside.

STRIKE

On any ordinary day another sit-down strike would hardly be worth ~~commenting on~~ ^{mentioning}. But, while Chief Justice Hughes was reading his sensational decision, four hundred aircraft workers were sitting down in South Bend, Indiana. They are workers at the ~~airplane~~ ^{Bendix} plant, ~~of the Bendix Corporation~~. It was there that the first big sit-down took place, back in December, Nineteen Thirty-Six. That one was a victory for the men. The company capitulated, ^{and} the workers marched out with flying flags and a band playing.

A late bulletin from South Bend brings the news that the strikers exhibited prompt respect for the opinion of the Supreme Court. As soon as they learned of that decision, they left the plant where they had been sitting down.

ANDERSON

The First Lady of the Land today became a prime actor in the controversy about the negro singer, ~~Miss~~ Marian Anderson, and the Daughters of the American Revolution. This squabble has been simmering for several weeks. It started when the Manager of the ^{famous} negro contralto tried to book a date for her at

Constitution Hall, Washington, which is owned ~~and free~~ by the D.A.R. It was learned that the Daughters of the American Revolution have forbidden the use of their hall by negro artists.

~~The storm began to gather and as recently as yesterday Mrs. Reessvelt joined in a protest started by several other prominent~~

~~people.~~ Today ~~the~~ eyes ~~of the country~~ were focused on a paragraph in Mrs. Roosevelt's column, ^{"My Day" in the Scripps Howard} ~~in the NEW YORK WORLD TELEGRAM~~ ^{Papers.}

In this she wrote, "An organization to which I belong has taken an action which has been widely talked of in the press." And she adds, "To remain as a member implies approval of that action and therefore I am resigning."

~~This afternoon~~ ^{this afternoon.} The First Lady held her usual press conference at the White House. Reporters put the question to

her point blank: "Does that mean you're resigning from the D.A.R.?"

Mrs. Roosevelt declined to say definitely "yes". But she also refused to say "no". Then she declared that reporters would have to ask the D.A.R.; ^{as} ~~since~~ she felt it more fitting that any resignation should be announced by the organization.

Mrs. Roosevelt had joined the D.A.R. by special request after the President was inaugurated in Nineteen Thirty-Three. She did it on condition that the D.A.R. should investigate and certify her lineage.

It turned out today that Constitution Hall is not the only place in Washington which was denied to ^{Marion} ~~Miss~~ Anderson. Incidentally, I hear that the negro contralto was pronounced by Toscanini himself no less, as the greatest living singer. Failing to get Constitution Hall, the management tried to get the Central High School auditorium in Washington. The Board of Education likewise refused. It now proposes to have Marian Anderson sing in the open air.

HINES

The verdict of guilty against Tammany Leader Jimmy Hines seems to have attracted ^{attention everywhere} ~~more gossip outside of New York than~~

~~in the city itself.~~ I was in New Hampshire over the weekend and, it was the chief topic of conversation. ~~New Hampshire being a typical Republican state,~~ Everybody I met was discussing the reaction of that verdict on Dewey's chances to be nominated for the presidency.)

Since that verdict became known, ~~I've heard more remarks along this line from westerners and middle westerners than from New Yorkers.~~ Many people seem to be agreed that today ~~at any rate~~ ~~Thomas E.~~ Dewey is the foremost Republican in the public eye.

And by a strange paradox Dewey's own partisans are a little alarmed at this. They're afraid that it may induce a premature boom. There's nothing more harmful to a candidate, ^{generally,} ~~of either party~~ than a presidential boom that ^{booms too} ~~is made too soon.~~ The report at the New York Republican headquarters was that Kenneth Simpson, G.O.P. leader of New York County, has planned to travel all over the country as ~~an~~ a Dewey missionary. In short, Simpson hopes to accomplish for the New York prosecutor what Jim Farley did eight years ago for Franklin D. ~~Roosevelt~~

NEW ENGLAND MUSEUM

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One of the live scientific institutions in the country is the New England Museum of Natural History. It comes into the news today because a new Executive Director has been appointed, unquestionably one of the most successful of the young American explorers. He's Bradford Washburn of Cambridge who ~~only~~ graduated from Harvard only six years ago. He started his career as an explorer of glaciers in Alaskan mountains while he was still a freshman at Harvard. Since then he has led no fewer than eight expeditions to Alaska, expeditions under the auspices of the National Geographic Society, Harvard University, and also the New England Museum of Natural History of which he is now the head.

~~This precocious fellow has already made invaluable contributions to our knowledge of geography. Among other things, he discovered the source of the glaciers of the St. Elias range in Alaska. He is one of the two foremost living authorities on Alaskan mountains and glaciers.~~) A few weeks ago I undertook to answer a question that often comes to me in letters as well as to such authorities as Dr. Vilhjalmur Stefansson, Commander MacMillan and Roy Chapman Andrews. That question is - "What makes a man

want to go exploring? How does an explorer get that way?" It seemed to me I couldn't do better than ask such a brilliant young example as Brad Washburn. So it's from what he told me that I answered that question in the March ~~issue of~~ COMMENTATOR.

RECOGNITION

Today's
~~of course the~~ big news from Europe is ~~formal~~ the formal, ceremonious recognition of Franco by *Great Britain,* ~~John Bull,~~ and, quickly thereafter by France. ~~It became the occasion for quite a scene in the House of Commons.~~ Prime Minister Chamberlain ~~himself~~ made the announcement which was promptly greeted by angry shouts and yells. "Shame!" cried some *of the* labor members. "You ^{we} betrayed democracy!" cried others. And the Communist M.P. yelled at Chamberlain: "You should be impeached! You are a traitor to Britain!" ~~Even~~ Clement Attlee, leader of the Laborites, complained that Chamberlain had misled the House by the way in which he had stalled questions on this subject during the last few weeks. He also hinted that the Prime Minister and his Foreign Secretary, Lord Halifax, had acted arbitrarily, had not consulted their colleagues in the Cabinet. Chamberlain was unmoved by *all this.* ~~these few words~~ He went on calmly to explain to the Parliament his reasons. He said the Republican government had become scattered and no longer represents settled authority. ~~Further~~ "Therefore," ~~he went on,~~ His Majesty's government have decided to inform General Franco of their decision

to recognize his government as the government of Spain." And he
~~added: "Formal action has been taken in this sense today."~~

He also informed the House, "I understand the French government
is likewise announcing its decision today." ^{And —} That was confirmed
almost immediately by a pronouncement from the Quai d'Orsay in
Paris.

FRANCE FOLLOW PEACE

4 { So it seems likely that this long, deadly thirty-one months civil war is about ended. The French government notified the Spanish Republican government ^{of} Premier Negrin that his regime was no longer recognized. A similar notification was sent to President Azana, but Azana had already taken refuge in Switzerland.

It's reported in Paris that Negrin has accepted an offer from the British government, a proposal that the political, military and other leaders ~~will~~ be removed from Spain under the ~~the~~ protection of the warships of ^{Britain,} ~~John Bull,~~ France and ^{the United States.} ~~Uncle Sam.~~

If that's true, the civil war will definitely be over. The one-time Republican government of Spain will ~~just~~ have crumbled ^{with no need} ~~away so there'll be no necessity~~ of any formal surrender or capitulation by the Republican government.

WASHINGTON FOLLOW FRANCE

It's reported in Washington that Franco's government will soon be recognized also by the ^{U.S.A.} ~~gentleman with the whiskers~~. However, that will take some time. The State Department has let it be known that it will act cautiously and slowly. And today the flag was still flying over the Spanish Embassy where the word this afternoon was "business as usual." ^π The Washington embassy of the Republican government does not yet officially know about the actions in London and Paris. The present Spanish Ambassador in Washington is ^{therefore} still the lawful representative of Spain, that is, until the government that sent him ceases to exist or until Uncle Sam withdraws ~~his~~ recognition.

PALESTINE

The New British ideas about Palestine have of course created a furore. Protests come from both sides of the water

against ~~John Bull's~~ ^{the London} notion for creating a new Arab state in the Holy Land, ^{giving up the mandate, turning Palestine over} The protests included a warning from our own

to its present inhabitants.

Ambassador Joe Kennedy in London. He is believed to have gone to Downing Street and notified Foreign Secretary Lord Halifax that such a restriction of Jewish immigration to the Holy Land would be taken in bad part in the U.S.A.

A cable was sent overseas, signed by prominent United States citizens. They included former ^{Supreme Court} Justice ~~Louis~~ Brandeis ~~of the Supreme Court~~ as well as other judges, rabbis and lawyers.

The cable was addressed to the Jewish delegation from the United States to the Round Table Palestine Conference now meeting in London, and the cable urged the United States delegation to stand firm. It said: "The proposal is entirely inadmissible." ~~It is~~ becomes a final decision you should state impressively the moral and human violations at the time and therefore why we cannot in any form participate. Responsibility for the impositions must be left exclusively with Great Britain."

There was a question about that proposal in the House of Commons today. Malcolm MacDonald, Colonial Secretary, took the burden of the fire. Said he: "I appeal to the House and to the public here and in Palestine to withhold judgment, ~~on the lines of solution now being considered by the conferences until an authoritative statement can be made.~~" Then he added:

"Reports in the press regarding the suggestions of the government are incomplete and misleading. And he says ~~further~~ that it was those reports which were responsible for the latest violence in Palestine in which thirty-two Arabs were killed and fifty wounded.

~~and~~ Here's a later bulletin from London. Rabbi Stephen S. Wise, ~~the~~ head of that American-Jewish Delegation, has withdrawn from the Round Table Conference. ~~At least that's the~~ *So they say. He* ~~understanding. The report is that he has booked his passage home,~~ *has* decided that any further talks will be useless in view of the British proposals. ~~As for the other delegates from America, they haven't decided yet.~~

RUSSIAN FLEET

Comrade Stalin is going to build himself a navy, a big one. It was officially announced today, in Moscow. It's going to be a fleet capable of crushing any enemies in its own waters. So says the political chief of the Soviet's military establishment. The Bolsheviks can afford to have ~~them~~ a big navy, he ^{afford it} says, better than other countries. They've got an abundance of people to build those warships. And he also claims that they have the factories.

The Communist navy has been pretty much of a mystery and still is in spite of this new announcement. The Comrade Commissar added the information that they've launched several battleships and submarines. But he didn't say how large or how many. ~~All he let out was that "they've increased the fighting power of Soviet Russia many times, also the naval aviation and coast guard"~~ And he ^{claimed} ~~made it known~~ that two battleships, the last word in modern technology, had been sent to Vladivostok, the base of Russia's naval force in the Far East.

SABOTAGE

Here's a weird echo from the disappearance of those Russian aviators in the Arctic, ~~I mean, of course,~~ Sigismund Levanevsky, the Soviet ace ~~flyer~~ and his comrades who started ~~winging~~ from Moscow to New York by way of the North Pole, ~~these are~~ the men for whom Sir Hubert Wilkins ^{and Hollick Kenyon} made such a long and futile search.

A man was convicted in Moscow today and sentenced to twenty years on account of that disaster. He was a radio operator in one of the Soviet's arctic stations. They arrested him for failing to send out proper weather reports to Levanevsky and his mates. They also charged that while Wilkins was looking for him, this same operator had sent out false messages. So he was accused of sabotage and it is for that that he was sentence^d to twenty years. ~~in prison~~

ROCKEFELLER CENTER

An amusing thing has been happening here on Fifth Avenue, in mid-New York, this winter. Three new houses were built on the Avenue, one of the busiest streets in the world, and not a single passer-by stopped to watch. How come? Well, these three full sized great big houses were put up inside another building. Erected within the walls of the International Building in Rockefeller Center, a thirty-six story skyscraper.

Tonight there's to be a house-warming at which Nelson Rockefeller will be the host. House building in a building. The engineers had to cut a hole right through the roof of the upper floor. They even burned out one of the beams supporting the building. They chopped out four tons of concrete floor and steel reinforcements. All done by night. And I'm all done for tonight, and SO LONG UNTIL TOMORROW.

RETAKE

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