

L. J. - Sunoco. Tues., May 17, 1938.

TRIAL

There was a drama of two human hands in the court room today at Harlan County, Kentucky. Two hands ~~that~~ with livid scars on the wrists, and fingers bent and stiffened like claws. Old ~~wounds~~ ^{wounds} ~~wounds~~ where bullets ripped both wrists and crippled the hands.

The missing defendant turned up today in the Harlan County trial of forty-seven individuals and twenty-two corporations for anti-union activity. He was missing yesterday when the case opened. His appearance today completed the line-up of the trial - and he's the man with the scarred wrists and claw like hands.

His story, which has been put into the legal record by the ~~law~~ LaFollette Civil Liberties Committee of the Senate, is a melodramatic shocker of the southern mountains - an example of why down in those parts they say "bloody Harlan County." He was shot through the wrists not by strikers against whom he was fighting, but by a couple of his fellow deputy sheriffs, with whom he had a quarrel. A regular mountain feud, apparently - because he tells of how on a lonely road one day, they caught him with pointed guns, ~~He~~ threw up his hands, and as he did so they fired. Their aim was high, and the bullet^s slashed through both of his wrists.

They were out to kill him, and he had to think fast. He threw himself to the ground, and as he did so he smeared blood over his head and face from his wounded wrists. They took a look at him, thought they had shot him through the head - and went their way.

Such is the story of the missing defendant with scars on his wrists and claws for hands , who appeared today to complete the Harlan County trial. And you could add this - he is also out on bail right now for having killed a man in a recent outbreak of the mine wars. No wonder they say - bloody Harlan!

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I've been in Harlan County, and the people seemed to me quiet, courteous and gentle. But you never can tell.

MOONEY

A judiciary sub-committee of the House today adopted a resolution in the case of Tom Mooney. This - after hearing an old story, hearing it from a man who has been telling it for a long time. Today's star witness was a middle-aged Californian, named Earl Hatcher. He swore that the chief testimony against Mooney those many years ago was perjury.

The Number One witness in the conviction of Mooney for the San Francisco Preparedness Day bombing was a rancher, Frank Oxman. He it was whose sworn statement placed Mooney near the scene of the explosion that mid-afternoon. Today, Earl Hatcher told the sub-committee that he had been a close friend of Oxman and that on the day of the crime he and Oxman were together transacting some business so far from San Francisco that it was impossible for Oxman to have reached that city before evening, five or six o'clock - impossible for him to have been there at somewhere around three, the time of the explosion.

Hatcher has been insisting on this story for years, but he said nothing about it when Mooney was convicted and when Hatcher knew Oxman to be the chief witness for the prosecution.

Today he was asked about that. "Why didn't you tell about Oxman when Mooney was on trial?" demanded Representative Hancock of New York, "when Mooney's life hung in the balance?"

Hatcher replied with the word - loyalty, and spoke of his feeling toward Oxman as that of son toward father. "It shocked me when I found that Oxman was a witness in the trial," he said. "I guess maybe I was blinded by a sense of loyalty. Oxman was just like a dad to me. I'm telling the honest truth, fellows", he cried to the Congressmen. "I knew of Oxman's part in it but I felt that fellow Mooney knew a lot about the bombing too."

~~(Such was today's testimony before the Committee, whereupon the question was raised by Chairman Sumners of Texas - "What could the sub-committee do about it? What recommendation could it make to the full judiciary committee?" To that)~~ Senator Murray of Montana, appearing before the Sub-Committee, ^{stated:} ~~gave this reply.~~

"The conclusions of a congressional committee carry great weight,"

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said he? - "By resolution you can memorialize the Governor to pardon him, and the President to use his good offices with California officials to obtain a pardon."

And that's what the sub-committee proceeded to do. It voted a resolution urging the full judiciary committee to make a plea to the Governor of California and to the President - a plea for the man who for twenty-two years has been a prisoner in San Quentin.

RECOVERY

A drastic amendment to the three billion dollar spending and lending bill was proposed in Congress today, and Senator Vandenburg, Republican chieftain in the Senate, did the proposing. He makes some strong suggestions about changing the whole relief business, the most radical point being - cut out the Federal Relief Administration. The Senator declares that the whole federal system of dispensing relief should be abolished. ^{Turn} ~~Has~~ relief over to the states says he. ^{And} ~~then would you distribute relief? The gentleman from Michigan~~ offers ^{this} substitute - a non-partisan control board to distribute federal relief funds to the states - the states to kick in with twenty-five cents for every government dollar. The amendment was proposed with the slogan - "more relief at less cost."

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President Roosevelt just signed the big Navy Bill - a billion dollars for warships.

ROOSEVELT

And the President Roosevelt today made a declaration on the subject of political reprisals. (There's a decided opinion in Congress that the White House is making moves to get even with lawmakers who have kicked ^{over} ~~out of~~ the New Deal harness - ^{talk of} ~~maneuvering~~ ^{are} ~~against~~ ^{them in} the primaries.) The President said with emphasis today that he is not trying to exert any influence whatever on primary elections - not out for reprisals.

PENNSYLVANIA

The only election word from Pennsylvania is - fair and warmer. Meaning, there was a huge turn-out at the primary poles. That was to be expected, after all the political turmoil centering around the bitter Democratic slam-bang. And, of course the turn-out of the voters was aided by that weather report - fair and warmer. The poles close at eight o'clock - so there's still no telling who won.

In spite of the desperate campaign battling, little trouble is reported, ~~all quiet and orderly considering the hard words and vigorous vituperation during the campaign.~~ At Homestead, ^{Pa.} ~~Pennsylvania,~~ there was a cry for G-men, who are always being cried for. C.I.O.-New Deal forces declared that two of their workers had been arrested and, as they said - "spirited away." I suppose that's a spirited way of saying - kidnapped. So they wanted those old kidnap hunters, the G-men, to look for the two missing campaign workers. The heartless G-men, however, paid no attention to the pathetic plea.

That seems to be about the only untoward incident to be reported, save for the United Press dispatch that at last reports leaders of various factions were still shouting "double-cross" and "stop thief!"

JERSEY

New blasts are being fired against Mayor Hague of Jersey City, whom they call the "Jersey Dictator." The latest to sally forth to the attack is nobody less than Alf Landon, Republican candidate for President in the last election. He makes a demand, which is fired at nobody less than President Roosevelt, who was also a candidate in that Nineteen Thirty-Six election. Alf charges Hague with - "violation of the spirit of the Bill of Rights." And he declares, "There is something the President can do." He says the White House should clamp down on the Jersey dictatorship.

Another anti-Hague blast today is ~~findly~~ fired by the Hudson County Lawyers Guild. They demand an investigation of what they call a "brutal assault" made on their Vice-President, Ashley Carrick, by the Hague Jersey City police. Their Vice-President, they declare, was forcibly thrown into an automobile and forcibly placed on a ferry boat for New York City - everything forcibly^{ly}.

So they want ^{a four-fold} investigation by the Federal and County Grand Juries, the State Legislature, and the Interstate Commerce Commission.

~~It sounds like a lot of investigating.~~

~~But~~ Why the Interstate Commerce Commission? What has

the I.C.C. to do with the Jersey deportation of the lawyer?

The answer is - the assumption that a federal statute was violated when the Lawyers' Vice-President was carried from one state to another over navigable waters without the payment of a fare. Naturally, the Hague cops didn't compel their victim to pay the six cent fare on the ferry. That would have been too forcible. So they want the Interstate Commerce Commission to investigate - not the forcible part of it, but the non-payment of six cents worth of ferry fare.

RECEPTION

I notice that my friend and co-worker, Sidney Kent of Twentieth Century Fox, ~~Pictures~~, was at the party tonight. ~~(It's~~ all over by now, this hour being nearly one A.M. in London. They like their receptions stately over there on the banks of the Thames, especially when the American Embassy is concerned. And ~~tonight~~ Mrs. Joseph P. Kennedy, wife of the Ambassador, gave a reception to Lord Halifax, British Foreign Secretary - the first official dinner the Kennedys have staged. The British cabinet was there in force, Sir John and Lady Simon, Sir Sidney Clive, Marshal of the Diplomatic Corps; Count Grandi, the Italian Ambassador. Peers and peeresses everywhere. And distinguished Americans, headed by Colonel and Mrs. Lindbergh, who ~~do not so~~ ^{seldom} ~~often~~ go in for official and resplendent entertainment. Yes, and Mr. and Mrs. Sidney Kent.

When he gets back and some night we're making a Movietone newsreel, I'll have to josh him about the cabinet ministers, the ~~xx~~ ambassadors, the peers and the peeresses. And I'll ask him what kind of chat he had with Colonel Lindbergh.

LONDON

There will be no debate this week in the House of Commons on the controversial theme of the British Air Force. The M.Ps. are all set for dramatic proceedings concerning the slowness of British war plane production, the lag and delay in the air-~~re~~ rearmament program. But it's announced today that these matters, so vital to the empire, must wait till next week. Because Prime Minister Chamberlain is still laid up with the gout. The ache and swelling in the prime ministerial big toe is becoming of historic importance.

PLANE

The news is silent about the missing airliner in the Far West. Searching planes were out today looking for the craft that took off yesterday bound from Burbank to Las Vegas, Nevada. It ~~is~~ was being flown from the manufacturer's plant to ^{an} airline purchaser and had aboard nine persons, four of whom were women and two were children. These were members of the families of men working for the manufacturing company. The search today was among the fog-bound mountains, most difficult conditions. ^H One report was that the wreckage of the lost sky ship had been sighted in the mountains. But that's officially denied. The supposed wreckage which was spied turned out to be nothing more than a building made of sheet metal in an isolated canyon. So there's no news.

But there ^{is} ~~is~~ other aviation news of a more cheerful aspect -- the sky fighting ~~plane~~ fleet ^s along the Atlantic Coast, for example, having defeated the enemy, driven off the air raiders -- are on their way back to the air bases whence they came. ~~The~~ Squadrons ^{roaring} ~~flow~~ over New York City today.

AIRMAIL

With our own airmail week being celebrated right now, Cuba is also commemorating an airmail anniversary. Not the beginning of any regular service, however, but the first time a plane ever flew with a bag of mail from Florida to Havana. That was in Nineteen Thirteen, twenty-five years ago. Our own way of hailing the glory of the airmail is stately and dignified and much to be applauded. But the Cuban way is a bit more sprightly, because today it included a duel.

One of the figures on the field of honor was Jesus Scarpata, We'll ~~xxxxxxx~~ have to call him by his last name, because otherwise it would sound blasphemous. Scarpata is a Cuban journalist. He wrote an article to celebrate the glory of Domingo Rosillo, the Cuban aviator who flew ~~xxx~~ that first bag of airmail. Scarpata praised and lauded Rosillo, and that gave offense to Parla. Now, Parla claims to be the first man who ever flew from Florida to Cuba, airmail or no airmail. He resented the praise and laudation given to the other aviator, and none to him. So Parla got into an argument with Scarpata, and the result was a duel - thirty paces with pistols.

They faced each other on the field of honor today. Thirty paces must be a long way for Cuban marksmanship. Parla fired twice, and missed both times. Scarpata fired only once, and missed. He withheld his second shot, figuring maybe - what was the use?

Meanwhile, the central figure of all the celebration and duelling was having a big time. Rosillo, who flew the first mail from Florida to Cuba, made that same flight all over again today. But this time he did it in a big Pan-American Clipper. He was feted and honored at Miami before he left and at Havana when he landed.

While these aviation commemorations are going on, quite a stunt is being tried between New York and Miami - a non-stopper in a family plane. Kenneth Kress and Glenn Englart are flying a fifty horsepower slow speed "cub." New York to Miami and back, non-stop, (no stop even at Miami - how do they expect to do it? By) refueling. (They'll refuel in the air at points along the way.)

MARRIAGE

Here's a legal matrimonial twister from Canada. A couple got married twice, just to be sure - and today both marriages were annulled. The man is a Protestant, the woman a Catholic. They were married first by a Protestant minister. Later, just to make sure, they were married by a Catholic priest. You'd think that would make it doubly certain.

But today in Montreal Judge Forrest of the Superior Court of Quebec ruled that both marriages were invalid. The first ceremony, performed by the Protestant minister, was invalid because the woman is a Catholic, and the Catholic Church does not recognize a mixed marriage unless it's performed by a Catholic priest. The second marriage, performed by the Catholic priest, is invalid, because the first marriage, performed by the Protestant minister, had not been annulled. So they were wedded twice in both religions, but were never married. ~~And - SO LONG UNTIL TOMORROW.~~

FIGHT

In the movies it's always the way - Errol Flynn won the fight. And that's the way it was in real life down at Havana - Errol Flynn came out a victor in the night club free-for-all of swings and haymakers and bottles bouncing off heads. Lily Damita was there too, and her comment today is - "I think it was all so funny." ~~But~~

~~Errol Flynn doesn't think it was all so funny, even if he did win~~

Errol Flynn's remarks today were hardly
~~the free-for-all. His remarks today were hardly printable, and~~

printable; and

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certainly not quotable on the pure and proper radio.

The scrap started when one of the guests in the Flynn-Damita party got into an argument with some guy in another party at a nearby table. Words were spoken and then blows were struck, and into the fracas waded Errol Flynn - both fists flying. The Havana dispatch says he took a punch at anybody who got in his way. It was quite a thrill in the best Flynn-film manner.

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Today's check-up reveals that the only casualty is an unidentified American who has a cut over his eye, where he stopped a punch. Also, his nose is broken - he received a haymaker on the bezer. Yes, he's the only casualty, unless you'd count in

Errol Flynn's valuable cigareete holder, a regular jewel work of art that he treasured highly. It disappeared in the fight.

As I am vanishing now -- and So Long Until Tomorrow.