

L. T. - SUNOCO. MONDAY, MARCH 29, 1937.

GOOD EVENING EVERYBODY:

Again the Supreme Court speaks and confounds its critics. For in a group of sweeping decisions handed down today, a majority of the nine justices upheld three of the most crucial New Deal measures - measures considered absolutely vital by all partisans of the President. In fact, the Court even gave its sanction to one, which it is known the President himself considered highly doubtful:- revised Frazier-Lemke Mortgage Law, the law providing government mortgage help to farmers.

Today's was really 'an astonishing, an almost sensational session of the Supreme Court. So many Mondays have passed without any of the long-expected rulings forthcoming, that the suspense had been drawn out to the vanishing point. So when these three New Deal decisions came out at one smash today, the spectators in the Supreme Court Building were left gasping - taken by surprise.

LEAD 2

And surprise was piled upon surprise. For in saying that the Washington State Minimum Wage Law for Women was constitutional, the Court flatly and unequivocally reversed a previous decision, a decision made fourteen years ago. Chief Justice Hughes said this in so many words. That Nineteen Twenty-Three case was known as the Atkins decision. It was the Atkins decision which provoked reformers into starting the agitation for the Child Labor Amendment to the Constitution. Aside from that, this ruling delivered by Chief Justice is cheered by New Dealers because it lets down the barriers to a wide and sweeping program of legislation, labor laws, measures regulating not only wages but hours and conditions of working.

And for other reasons, the Charles Evans Hughes' opinion of March 29th Nineteen Thirty-Seven will be a landmark unforgettable in the history of jurisprudence. For it couldn't have made unless one of the justices, Mr. Justice Roberts, the millionaire ex-corporation lawyer, changed his mind, reversed himself, taking a stand directly opposite to that which he took a few months ago. A few months ago a similar law passed by the New York Legislature came before the Supreme Court. On that occasion, Mr. Justice

Roberts voted against it. But today in the Washington case he is found among the so-called liberals of the Supreme Court.

You may well imagine that lawyers the country over are opening their eyes with astonishment, discussing today's epochal events in the Supreme Court.

The two other important rulings which the Justices published were unanimous. All nine proclaimed the Railway Labor Act today, in no way contrary to the Constitution. It concerned the clause in the Act which compels railroads to do collective bargaining with their employees. The Virginian railway company which appealed, was directed to carry out the provisions of the law.

The Railway Labor Act, it is believed, will thus become a model for labor legislation in the future. Its avowed purpose when drawn and passed by Congress, was to abolish strikes, abolish them by making them unnecessary. It establishes a National Labor Board. One function of this Board will be to intervene and mediate disputes between railway managements and the people who work for them. In its own words, "to provide for the prompt and order-

ly settlement of all disputes."

And people think, there's a good deal behind this opinion of the Railway Labor Act. In its terms, and spirit, it is exceedingly similar to the Wagner Labor Act which is still under consideration by the Court. The Wagner Act is far more comprehensive. So lawyers think that if the Court is favorable to the Railway Labor Act, it probably feels the same way about the Wagner Labor Law.

Not the least interesting in today's proceedings in that courtroom in Washington concerned an individual human drama. Remember the case of the two George Norrises in Nebraska? One the venerable Senator, Uncle George Norris, and his namesake, George Norris, the grocer? In

50

Nineteen Thirty, Uncle Geroge's enemies tried to play him a mean trick. They put up Grocer George ~~W. Norris~~ as a candidate to run against him. Grocer Norris didn't get to first base in the election. But the episode had such a bad smell that the Senate investigated. When summoned to the witness stand, Grocer George stubbed his toe to the extent of ^{being indicted for} ~~committing~~ perjury. He denied that he had received money to allow his name to be used in the attempt to injure Senator Norris. Subsequently, he was obliged to admit it. He was tried for perjury, convicted, sentenced to jail for three months and fined One Hundred Dollars. He fought and appealed all the way up to the Supreme Court, and today he finally lost. He'll have to serve his term and pay his fine.

TP

Once more wedding bells in the Roosevelt family — the marriage formally announced — Franklin Jr. to marry Ethel Du Pont of the Delaware Duponts. It's been spoken about for months. The bride-to-be has been a frequent visitor to the White House.

BRADDOCK

51

The comedy of Champion Jim Braddock and the ^{legal} papers was played out today. As we learned some time ago, the Madison Square Garden Corporation of New York decided that it wouldn't stand for that Louis-Braddock fight in Chicago. So it ~~is bringing~~ ^{brought} suit to enjoin the champ from meeting anybody until he has carried out his contract to fight Max Schmelling in New York. Papers were issued accordingly, Deputy United States Marshals went to Braddock's home, and came back saying they had served the champ. When this was made public, Braddock's manager, Joe Gould, laughed. "It wasn't the champ they served," he said, "it was Gunboat Smith." Mr. Gunboat Smith, of course, never was champion of anything. He was a ~~bit of a minor~~ ^{of long ago,} ring celebrity, ~~once,~~ and more recently served as sparring partner for Braddock's would-be opponent, Max Schmeling.

All this was rather embarrassing and annoying to the plaintiff's lawyers. But, said Joe Gould, "if they want to serve us, we aren't dodging the servers. We will even make a date with them."

And so it happened, Braddock, accompanied by his manager,

left his New Jersey home today, went to the office of his manager's brother in Newark, and there waited until the marshal appeared with the papers.

So now everything is set for the next round, which will take place at the United States District Court in Newark.

STRIKE

52

The furore over that ^{new-fangled} ~~immigrant~~ institution, the sit-down strike, reached a new climax today. Labor union people and others alike were agog over the latest conflict, the latest exchange of left-handed compliments, between William Green, President of the A.F. of L., and hard-headed John L. Lewis, Chairman of the C.I.O. The row ^{was} started, of course, by the caustic criticisms of the sit-down strikes uttered by Mr. Green, who has hitherto kept silence on the subject. He spoke with vehemence, ~~and in all~~ **seriousness.** He denounced this imported custom, as of the utmost injury to the cause of labor. Said he: "There is involved in its application grave implications detrimental to labor's interests." and he pleaded: "It must be disavowed by the thinking men and women of labor."

The principal reason, he adduced, was the effect upon public opinion. "Without the support of public opinion, labor cannot win strikes or establish and maintain itself as a vital force. Labor cannot afford to lose the support of public opinion." So says the head of the A.F. of L., and he added: "Public opinion will not support sit-down strikes." And he said furthermore: "Any temporary

advantages gained through sit-down strikes will inevitably lead to permanent injury. (If strikers persist in them," he said, "they will find Congress and state legislatures passing laws to force compulsory arbitration." And that, he opines, will be a grave blow to laboring interests. So, he urged in these words: "I publicly warn labor against this illegal procedure.")

A counter-blast from Green's chief enemy, John L. Lewis, was only to be expected. The head of the C.I.O. had left Michigan to come to New York for the Coal Miners Conference. Green's remarks were read to him just as he was entering that conference. And the burly head of the Committee for Industrial Organization, softened no words. "Characteristically cowardly and contemptible", ~~were Green's opinions,~~ *tongue-twistingly,* said John L. Lewis. ~~"It's just like him",~~ ~~he continued,~~ "Selling his own breed down the river." Quoting Hamlet, he said that the A.F. of L. President "bends the pregnant hinges of the knee that thrift may follow fawning."

Now, at first hearing, that quotation sounds like just a typically imposing Shakespearian line. If you examine it a little closer, you'll find it contains a pretty powerful

insinuation, particularly in the words that "thrift may follow fawning."

54

An opinion of a totally different nature was uttered by a body on the other side of the fence. The National Association of Manufacturers, employers of course, were spurred into speech by an utterance from the Department of Labor. They were provoked by the statement of Madam Perkins, the Secretary, when she said: "The legality of sit-down strikes has not yet been determined by law." The retort of the Law Department of the Manufacturers Association was, in effect, "Nonsense!"

"It is clearly illegal since it involves seizing property belonging to somebody else," ^{," said they,} "What's more, every individual sit-downer is liable to prosecution as a trespasser. He can not only be prosecuted, ~~he~~ he can be sued for damages in a civil action. What's more, a combination to conduct a sit-down strike, is an unlawful conspiracy. Under the statutes of many states, it can also be prosecuted as extortion." *all of that, said the manufacturers.*

~~To cap it all, the lawyers for the Manufacturers Association quote an opinion by no less an authority than~~

Meanwhile what about the strike, the Chrysler deadlock in Detroit? Governor Murphy is still trying to bring the belligerents to harmony. In the absence of John L. Lewis, Homer Martin, President of the Auto Workers Union, is conducting the arguments with Walter Chrysler.

A riot call buzzed out in Buffalo today. Police cars tore through the streets to the Niagara Frontier Food terminal, to squelch the fighting between strikers and strike-breakers. And there was no Interurban Bus service in Rhode Island. All the bus drivers walked out on their jobs - didn't sit in the busses.

NEW LONDON

There was quiet but poignant drama today at New London, Texas. For the first time in eleven days, school buses stopped at the doors of houses and cottages gathering their loads of children. And for the first time in eleven days they called the roll of pupils, ^{in an improvised school house,} called it just as they had called it on the morning of that fatal Thursday. There were some ~~six hundred~~ four hundred and sixty moments of ~~awkward and~~ tragic silence, moments when names were called whose owners did not answer. Four hundred and ~~thirteen~~ of them didn't answer because they ^{had} ~~perished,~~ ~~couldn't. They were dead.~~ Some forty others were still at home in bed recovering from their injuries.

ACCIDENT

156

What would you say if you had gone to considerable pains and even a little risk to prevent a horrible railroad accident and got arrested for it? That's what has happened to a man in Connecticut. Robert Langdon, a poultryman of the Nutmeg State, near New Haven, was walking from New Haven to Bradford near the main line of the New Haven Railroad. As he came near Lake Saltonstall, says Langdon, he saw in the dusk a man in dark clothes bending over one of the rails on the right of way. It struck him as being rather curious, so he called out to the man, asking him whether there was anything the matter. The man, to his astonishment, ran away. So the poultryman went to the place where the strange fellow had been crouching, and found a piece of chain wrapped around one of the rails on the express main line. At that moment, he heard in the distance a whistle, the rails began to hum with the noise of an approaching train. It was, in effect, the Merchants Limited, Eastbound, ~~the~~^a crack train of the New York, New Haven and Hartford Railroad.

Langdon happened to have a flashlight with him, and he turned it on and waved it backwards and forwards desperately.

27
The engine^r of the train, saw this signal in the nick of time, slowed up the Merchants Limited, with its seven passenger filled cars. Just before he came to a halt, he felt the wheels of his locomotive bumping over an obstruction on the rail. It was the chain which had been placed there. If the train had struck that ~~train~~^{chain} at its normal seventy miles an hour, the Merchants Limited, Eastbound, yesterday would inevitably have been ~~horribly and fatally~~ wrecked.

As a reward for this, the cops of East ~~New~~ Haven, Connecticut, are holding Robert Langdon in custody. He is charged, under a curious old Connecticut law, with idleness. They are holding him, say the police, pending a further investigation ~~of~~^{of} that piece of chain. *In the end they may decorate him.*

SQUIRREL

The prize for originating the funniest story of the day goes to the NEW YORK STATE CONSERVATION DEPARTMENT at Albany. The department has arrested and imprisoned one small under-sized, under-nourished squirrel. The squirrel is ~~ix~~ now in custody, charged with being a woman-hater. And in order to determine its guilt or innocence the little squirrel has been sent to the State Game Farm at Delmar, New York, for mental observation by a pathologist. A psycopathic ward for animals, that certainly is a new one!

58

As a matter of actual record some women really have complained that the squirrel attacked them. One of them ^{works} ~~lives~~ in a store and says a squirrel suddenly, appeared ^{there} ~~in the back~~ ~~of the store~~ and made a furious rush at her. She had to run, said she, to escape being bitten. Three others said they actually were bitten. And a fifth declared that the squirrel had ~~ix~~ jumped on her ~~whike~~ back while she was out walking, bitten her on the face and neck and chased her all the way home. And as she was opening the door the squirrel made a jump and bit her on the ankle as a parting salute.

Curiously enough there are no reports of men having been attacked by the squirrel. Through this we ~~we~~ learn that violent ~~misogyny~~ ^{misogyny} on the part of squirrels, though not common, is by no means unique. Our authority for this is the New York Superintendent of Game, ^{whose} name is Gardenr Bump. "Squirrels," says Mr. Bump, ^{"are} ~~was~~ like elephants in that they never forget." He has known of other cases in which squirrels harbored grudges against human beings, and displayed them violently. In the case of the animal now in the ~~my~~ psychopathic ward it probably once was a household pet, ~~and~~ said Mr. Bump. One day a woman probably swept it out of the way with a broom, ^{— bumped him out.} Such an action would have given our ^{nut-cracking} friend a complex against any biped in a skirt. ^{And s-l-u-t-m.} ~~Hence the attacks upon the complaining ladies.~~

59 1/4