

*Constitution*

GOOD EVENING EVERYBODY:-

Yes, on Constitution Day, it's time to give thanks that we have ~~the~~ document the founding fathers devised. And one way to give thanks is to stop and think for a moment -- suppose we <sup>had</sup> never had that Constitution. Let's look back over the long span of years to the day when the founding fathers gathered. This nation, if you could then call it a nation, had won its struggle for independence against Great Britain. But things were in a bad way. The government was <sup>being</sup> run under the Articles of Confederation, adopted during the Revolutionary War. But those Articles were so feeble and futile, that government was impossible, the country in danger of falling apart. That was a condition the makers of the Constitution had to remedy. And they did.

But suppose ~~in their long and earnest discussions,~~ they had failed to agree; or, suppose ~~they, having agreed,~~ the battle

to persuade the states to ratify the Constitution had failed. Every state might have turned into a little nation, with its own tariffs, army and warfare. Divided and quarreling, they would have been powerless. They couldn't have pushed westward. Our western states would not be today American. It's doubtful whether the divided ~~independent states of the~~ <sup>instead of the</sup> United States could have maintained their independence at all. That's the picture history suggests.

But the reality is very different, isn't it? We ~~KNEW~~ owe that difference to the Constitution.

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Also - it's primary day over here - in many parts. And election day in the Philippines, with Quezon the political wizard, a victory over Aguinaldo, the old insurrection hero.

CUMMINGS

There was a mild ruction when Attorney General Cummings arrived in Paris today. As he had a diplomatic passport he didn't bother about mere formalities. He sent his chauffeur with his passport to the station to get his trunks. An official there didn't seem to know the difference between a diplomatic passport and a common people passport. He opened a trunk and right on top were several boxes of cigars.

You know, tobacco is a government monopoly in France. And you're not allowed to bring any in. Cigars and cigarettes are to a French customs official what a flaming crimson flag is to a bull. So the official in question, an excitable Frenchman, began to raise cane all over the place. He not only seized the cigars but shouted that the Attorney General of the United States would have to pay a big fine as a common smuggler.

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About that time the disturbance reached the attention of a high official, who understood all about diplomatic passports and immunities. He quashed the whole affair and the cigars were reverently replaced in the Attorney General's trunk.

So, tonight, no doubt, Mr. Cummings is smoking ~~his~~ *his*

*Favorite* ~~at~~ *as Tampa*  
~~at~~ <sup>^</sup> Havana <sup>^</sup> with unusual relish.

## ETHIOPIA

The way that European crisis changes, switches around and reverses itself, is enough to make one dizzy. The moment you've made up your mind about the latest state of affairs, something comes along and turns everything all around. All through the day the keynote was - alarm, clouds darker and darker. But then in the late hours, the news took a somersault.

After all those uncompromising declarations by Mussolini, it's quite a somersault to get a flash from Geneva that Italy today came up with talk about negotiating. The Italian delegation declared that Rome would consider a compromise on a basis of the League report, if that report were satisfactory. That Five-Power Committee has been working like the dickens, trying to outline some agreement that would satisfy the Duce. <sup>But -</sup> Observers <sup>hadn't</sup> ~~haven't~~ given the possibility of an agreement one in a million. Mussolini himself <sup>had</sup> said he'd give it less than that. Today he executes a right-about face and says that if the League report makes him a big enough offer, <sup>things can be patched</sup> it's quite possible <sup>they may patch things</sup> up without <sup>a</sup> war. <sup>a</sup>

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But the earlier reports certainly were ominous. First

came that rumor that fighting had broken out between the Italians and the Ethiopians. This nearly gave the League nervous prostration. A clash, and the battle spreading like wildfire - the whole situation could blow up that way. It isn't known how much truth there is in those rumors of a warlike outbreak. Rome says there hasn't been a clash. <sup>P</sup> More ominous still came the word of the mighty warships of Great Britain steaming in powerful squadrons into the Mediterranean. Those are the sea monsters that disappeared mysteriously from the British harbor of Portland. Their crews were hurried aboard and they slipped away to sea, shrouded by mystery. Of course it was <sup>guessed</sup> ~~expected~~ that they were on their way to the Mediterranean. <sup>the guess was correct.</sup> ~~And that is true.~~ They arrived at Gibraltar today, those giant fighters, the RENOWN and the HOOD, and a whole flotilla of others. They had made the twelve hundred mile voyage from England to the Mediterranean with power driven speed. It <sup>almost</sup> ~~seemed~~ seemed to be warlike speed.

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The British squadron, having arrived at Gibraltar after ~~xxxx~~ its mysterious voyage, publicly seen, a ~~x~~ sight for everybody - ~~xxxxx~~ there was no reason why London should keep silent

any longer about those vanished warships. So today London speaks.

There is an authoritative declaration in which she uses the word -

"precaution<sup>any.</sup>" *- the bulk of the British fleet -*  
The moving of all that naval power into the Mediterranean

is a precautionary measure. The tense situation and the activities

of the Italian fleet compelled the admiralty ~~powerfully~~ to strengthen

the British forces in the Mediterranean, *lifeline of the Empire, So says London.*

Yes, the Italians were making naval moves of their own,

a new disposition of the Italian fleet was ordered. Mussolini's

warships are concentrating at strategic points, from which they can

strike swiftly.

I make a move and you make a move in reply - that's

always dangerous, may lead to a fight, ~~That's~~ a homely version of

the naval activities in the Mediterranean. England and Italy

making naval moves, precautionary moves, to be sure. But it raised

ominous visions of a clash - a wild free-for-all war in the

Mediterranean, on the sea, under the sea, and in the sky.

But these disturbing pictures can be turned against

the wall, at least for this evening - with the Italian declaration

at Geneva that Italy is willing to compromise, if the offer about

to be made to her is satisfactory.

This compromise <sup>declaration</sup> ~~talk by the Italian~~ is strongly supported by word from Addis Ababa. The Emperor Haile Selassie was on the verge of ordering his dusky armies to mobilize, to mass on the borders for battle with the Italians. ~~But~~ he called that off today. He decided to delay the mobilization order, to give the League a further chance of fixing up a settlement. In ~~these~~ thus delaying his big war move, the King of Kings gets three cheers from his own Ethiopian delegation in Geneva. The Ethiopian representatives strongly advised him not to mobilize right now. And the reason they gave is this - sanctions. They informed Addis Ababa that if Mussolini insists on driving ahead for war, the League was sure to slap on sanctions. Economic measures, a boycott, shutting off supplies, against Italy, with France participating.

If this word of sanctions is true, as the Ethiopian delegates told their Emperor it is, why that would cast a good deal of light upon today's Italian suggestion of - compromise.

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 But, will Haile Selassie accept the compromise. He says he won't have any international protectorate League or NO League.



SWASTIKA

New York today saw evidence of Hitler's decree on Sunday. For the first time the Nazi Swastika was hoisted in New York harbor as the national flag of Germany. Today on three ships there floated from the masthead the flag that Hitler calls the anti-Jewish symbol of the world. The three vessels were the BREMEN, the STUTTGART, and the ALBERT BALLIN. Oddly enough, the Albert Ballin is ~~named~~ named after the great German shipping magnate, who was a Jew.

The hoisting of the Swastika in New ~~York~~ York harbor is doubly interesting because it was in New York that Magistrate Brodsky made his much debated declaration that the Swastika was the black flag of piracy. It is supposed that Hitler on Sunday was incited by this widely heralded incident when he declared the anti-Jewish emblem the national flag of the German nation.

## PLANE

I was so much astounded by the weird tragedy of Len Koenecke, the Brooklyn first baseman, that I picked up a telephone and called an aviator. Why had the burly Big Leaguer acted so strangely? So madly? Even suppose he had been drinking, that seemed no entirely illuminating reason for such weird and desperate conduct. I know the human species can develop queer twists of mind in the air. And any passenger-flying aviator of long experience will have seen enough of the vagaries of man in flight to understand a lot. So I telephoned the first flying man I could get hold of, saying - "What can you make out of it?"

The story all by itself leaves one bewildered. Len Koenecke left the Dodgers at St. Louis, where they were playing the Cardinals. With the season drawing to a close, Manager Casey Stengel of Brooklyn was cutting down his playing list. Koenecke was a star performer, a ranking first baseman and a heavy hitter, the National League today explains that. But, he had developed a sore arm. Anyhow, Koenecke got aboard a passenger plane at St. Louis, bound for Detroit. During the flight, high in the air, he made trouble, raised a rumpus. They say he had been drinking.

So, when they landed at Detroit, the airline officials wouldn't let him go aboard another plane for the rest of the journey. What did he do? Why, he went ahead and chartered a private plane to wing him on to Buffalo. The pilot was Joseph Mulqueeney, a former football player, a veteran of fifteen years in the air. Mulqueeney invited a pal along to make the flight; a pal who is something of a celebrity in aviation, a parachute jumper, called the "human bat" - Irwin Davis. That's because ~~he~~ he invented the bat wing parachute, with which he is able to do floating tricks in the air. At the Cleveland Air Races, the other day, he thrilled the crowd with those spectacular jumping glides. He and another parachute daredevil were billed as the "Human Bats."

So this was the trio that took off in Detroit in the special plane that one of them - Koenecke, the big first baseman had chartered.

The accounts are confused about the details of what then happened, but the events went something like this. Mulqueeney was at the controls, Koenecke sitting beside him. Davis, the

human bat, was in the back seat. Suddenly, the first baseman started to nudge the pilot and grabbed at the controls. He was pushing the pilot, trying to seize the controls. That's bad business in the air. Mulqueeney yelled to him, and told him to get into the back seat where Davis was. Koenecke obeyed. He sat down beside Parachute Jumper Davis. Mulqueeney turned his attention to his flying.

The next thing he knew, a fight was raging behind him. He saw Koenecke and Davis locked in a wild scuffle. They were flying over Canada now, approaching the City of Toronto. The insane deadly struggle went on, Koenecke mauling Davis, ripping him, biting him. The parachute jumper is no scrawny weakling. But the big hitter of the Dodgers was a tower of sinew and brawn. They don't hire fragile shrimps to play first base, not in the Big Leagues.

The plane was in the sky over Toronto, rocking and lurching, as the vicious mad fight raged aboard. Mulqueeney saw he had to do something. He says it was a case of one life or three. Letting the ship fly by itself, he tore down the heavy fire extinguisher. He turned, and swinging the fire extinguisher, he struck, smashed at the raging Koenecke to subdue him. He

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crashed the first baseman savagely on the head. Koenecke sank back. He was subdued - dead.

The plane was swinging wildly, a bare thousand feet above the suburbs of Toronto. Mulqueeney jumped back to the controls.

Davis, ~~completely~~<sup>all</sup> in, lay on the floor of the plane, helpless with exhaustion. Mulqueeney picked the first open space, he saw, for a landing, and the plane came bumping to earth on a racetrack, bumping hard enough to ~~bang up the plane~~ crack the landing gear. And there they were - the badly shaken pilot, Davis the human bat, clothes torn, battered, bleeding; and the body of Len Koenecke, renowned to National League fans as the star first baseman of the Brooklyn Dodgers. The Toronto police are holding the two airmen for investigation.

What madness had got into the Big Leaguer? That's the question I asked film flyer Grevenberg. He has ~~flown~~<sup>flown</sup> passengers of all sorts and under all conditions. Now he is a Fox Movietone aviator, flies the air camera for pictures from the sky. He was the pilot who flew the plane out to the ship to get pictures of the assassination of King Alexander, the plane that dived into the sea.

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He told me this latest weird melodrama of the sky seemed to him - this way: "Sometimes", he said, "when men who have been drinking are up in a plane, the thrill gets the better of ~~him~~<sup>them</sup>, and they are seized with the idea they want to pilot the plane. They

go wild with excitement, and want to get at the controls, and let her rip and make her fly." And then he adds:- "I imagine that was the case with Koenecke, He suddenly decided he'd fly her himself. So he shoved the pilot and tried to grab the controls. Then when Koenecke sat in the back seat, he was quiet for a while, but he got the wild speed-mad flying-craze again. Davis stopped him, and the fight was on.

That sort of thing said Movietone film flyer Grevenberg, has happened more than once, a man gone wild with flying excitement. This time it turned ~~out~~ into a weird tragedy, a tragedy on wings over Toronto, the killing of a star National League first baseman.

BASEBALL ENDING

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Maybe the American League doesn't know, but we can tell them. The high and mighty moguls of baseball won't commit themselves about where the World Series will begin. They cautiously specify that the first game will be played ~~with~~ either in New York or Detroit. But old Gus H. Fan could come busting up and ~~in~~ help them make up their minds. *He knows, already.*

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There was a big league meeting today and ~~it~~ in the presiding chair was Judge Kennesaw Mountain Landis, czar of the diamond. The meeting was to decide which league, National or American, would have the first game. The decision is -- American. The series will begin on Wednesday, October Second on the home grounds of the pennant winner in the junior circuit. To this Judge Landis and his careful committee <sup>that</sup> ~~added~~ the annual classic will start at either Detroit or New York. That's because the teams of those two towns are in first and second place respectively. And each has a chance to win the gay ~~g~~ flag -- that is, theoretically. That loud laughter emanated <sup>S</sup> ~~from~~ from the little funny-looking guy in the corner, Gus H. Fan, himself. "You guys," exclaims Gus, "are too cagey to take a guess whether it's



summer or winter. Why don't you just say, Detroit."

And, the comical fellow is right. The Detroit Tigers hold a commanding, knockout lead over the New York Yankees.

So, as for you, Judge Landis, you're too cautious to commit yourself. We're not! The series will begin in Detroit. And, right now, I'm ending in New York, so -

SO LONG UNTIL TOMORROW.