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SUPREME COURT APPOINTMENTS

Guessers who predicted the appointment to the supreme court of Senator Byrnes and Attorney-general Jackson were right. Only in the naming of Justice Stone to head the court is there any element of surprise. Stone is a fine appointment. Byrnes is a good one and that of Jackson just so-so.

Mr. Roosevelt has now named seven of the nine members of the court. With the first five he had successfully completed the reorganization which he tried to drive through congress at the beginning of his second term. By adding two more he has definitely assured the New deal complexion of the court for years to come.

In one respect the Byrnes appointment is entertaining. Byrnes is beyond the 60 year age limit set by President Roosevelt as a sort of dead-line four years ago. Moreover, the new justice seems to be conscious of the light his age places him in connection with the Roosevelt demand for youth for he began carefully, several years ago, to leave his birth date out of all biographical records. You search in vain in the congressional directory for the year of the Byrnes birth and only by going back in Who's Who to the 1935-36 volume do you discover that it was 1879.

Can it be that Mr. Byrnes has had his eye on the court for the past five years and was embarrassed by his age?

Whatever the fact may be in this matter of age this is certain—the west goes without a representative on the court. That is unfortunate. Justice Van Devanter was the last westerner on the supreme bench and now the west's chance for representation is gone—probably for many years.

ARE THE SEAS FREE?

In the first flush of desire to keep out of the European war congress enacted a law designed to keep American vessels out of the war zones. It had been their passage through such zones that had been largely responsible for our entry in the world war. In spite of our claim to the freedom of the seas we were ready to take the steps necessary to avoid any clashes over the maintenance of the right that might involve us a second time.

Now an American vessel, far outside any zone of combat, has been torpedoed by a German submarine. Women and children have been set adrift in open boats. American lives have been taken. In the last war under such circumstances President Wilson used to write notes. President Roosevelt has yet written no note on the Robin Moor but he did make a fire-side talk recently in which something was said about the freedom of the seas.

Are we not now ready for further implementation of that talk?

From the Chattanooga, Tennessee, chamber of commerce comes a plan for the "readjustment of the time structure" of the United States. The chamber proposes three, instead of the present four, time zones, these to be eastern, central and Pacific. In other words, mountain time would be dropped. We understand that there would still be 24 hours in the day. And getting up in the morning would be as hard as at present.

The Twenty-Third club, whose annual convention opens here today, is virtually an Oregon institution in its origin and an east of the mountains organization besides. In gathering in Bend the club should be quite at home. Here is a welcome and a wish for a successful meeting.

MORE ABOUT
The Capitol

(Continued from page one)

Washington and testified to the communist control of their union; told of their fight to get rid of the Freytags, etc. Scarcely had these witnesses returned to Los Angeles than one was beaten up by a goon squad; the other had two telephone warnings that his house would be dynamited.

The strike in the aluminum plants in Cleveland, O., is now being led by Alex Bilant, exposed as

a communist by the committee in August, 1938. Dies committee has been denounced, very recently, by Philip Murray, head of CIO, when the committee called attention to these communist organizers. But when O. M. Orton charged the Defense Mediation board with being labor-busters, Murray said Orton's accusation was "lying defamation."

It may appear, to some, that there is too much harping on the communists in this column, but slowly the facts of these termites in organized labor are coming to the surface. They are responsible for many of the strikes which have delayed production; they are striving to break down the morale



SERIAL STORY

FOOTSTEPS IN THE FOG

BY ELINORE COWAN STONE

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Yesterday, Angie brings word on that score, I think, Miss Lovett. Dr. Bingham had been the Lovett physician for years. "Just now," the voice went on, "I am sorry to have to tell you that Mr. von Thalmann has met with an accident—a rather serious accident."

STEPHAN IS HURT

CHAPTER XI

"Hello!" Bridge bellowed amiably into the instrument. "Sure 'tis Bridget Lanahan, Miss Lovett's housekeeper spakin'... But Miss Lovett is entertainin' guests at dinner, and cannot be disturbed."

The magnificent finality of Bridge's tone conjured a drawing room brilliant with the socially elite of New York, London and Paris; but the person at the other end of the line remained apparently unimpressed, for in a moment, Bridge called:

"Miss Debby! Sure, an' 'tis sorry I am to bother you and the Captain—so Bridges did not know that Stephan had gone—but there's an uppity party on the line that will have words wit none but you."

With an indignant flit of her apron, she marched off to her own quarters.

When Deborah went out, picked up the receiver, and said, "Deborah Lovett speaking." It was a man's voice which answered—crisp, impersonal, and somehow terrifyingly guarded:

"I understand, Miss Lovett, that a Mr. von Thalmann was your guest this evening?"

"Who is this?" Deborah demanded, her fingers cold upon the receiver.

"Dr. Bingham will satisfy you

of the American people; they are attempting to foment civil war. Being good organizers, they moved in when the CIO was being formed and had themselves elected to responsible positions. When the Dies committee began its expose years ago it was ridiculed, but the prophecy that chickens would come to roost is now being borne out. Congress is on the verge of doing something drastic if these strikes are not stopped.

When the 41st division (Maj. Gen. George A. White) receives 100 per cent equipment on a priority it will know that it is marked for a foreign expedition as a "task force," which is the 1941 name for American Expeditionary Force. First to be completely equipped are 14,000 men at Camp Devens, Mass., all regulars, but Chief of Staff Marshall hints that a few good national guards in the service are also on his list. More transports have just been taken over by the army, including boats from the Matson and President lines on the Pacific coast.

Behind came a fifth man in a gray overcoat, inconspicuous in every way except for bright dark eyes that seemed to see everything in the hall in one swift glance. Deborah looked for Wilhelm's sturdy figure; but Wilhelm was not among those present.

As soon as the man in the gray overcoat spoke, Deborah recognized his voice as the crisp, impersonal one she had heard over the telephone.

"Miss Lovett?" he asked, but as if he were already sure of that. "My name is Hilton. Where shall we take him?"

Before Deborah would answer, Bridge's voice rang from the landline above:

"How's Mither of Heaven!" cried Bridge, lumbering down the remaining flight of stairs. "If it isn't the Captain! What in the name—Sure, where would you be puttin' himself but in the Master's room? ... An' don't stand there lookin' feckless entirely, Miss Debby! But some wather on to boil!"

From that moment it was Bridge who took charge—Bridge who led the little procession upstairs, who found linen and extra covers, and stood by while Dr. Bingham did his grisly work. For when Deborah tried to follow the stretcher into the upper room, the physician took her arm and led her gently away.

"It may not be pretty, Deborah," he said. "Besides, I can't have too many people in the room and Bridge is an old war horse at this sort of thing."

"But you're letting him stay?" indignantly Deborah indicated the stranger with the quick bright eyes, who had just gone into the room and closed the door. ... The four bearers had already gone after a brief whispered conversation with Mr. Hilton, their heavy boots clattering down the silent street.

"He, my dear," the doctor said wryly, "happens to represent the United States government. And there seem to be some matters here very anxious to talk over with your young man as soon as he is able to talk at all."

"Oh!" gasped Deborah. "Could Angie have been right after all? ... But that was unthinkable. Stephan had explained everything—or almost everything."

"But, Doctor," she wavered, "is he—?"

"I'll be honest with you, Deborah. I always have been, haven't I? I'm hoping this is nothing worse than a bad concussion. If there's fracture, I haven't found it yet."

"But he'll want me!" Deborah sobbed rebelliously. "He'll want me more than any one."

"He will not," said Dr. Bingham patiently, "want any one or anything for some time to come. His first glimmer of consciousness is very likely to be an unpleasant suspicion that he is about to be most unromantically sick at his stomach."

In the end, Deborah brought a chair from her own room, and set it against the wall just beside Stephan's door. For ages, it seemed to her, she sat there, listening to every stir—every murmur from within.

Each time the door opened, she started eagerly to her feet. Once it was the doctor, who patted her shoulder in absent-minded reassurance, and sent her downstairs to telephone the drug store for something he wanted. He would not say much, and Deborah found his very kindness ominous. ... Once it was Bridge, looking tired and years older, to send her for

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ice and more clean towels. Much later, it was the little man with the bright eyes, who slipped down to the front hall to carry on a conversation with someone at the front door. Deborah could not hear much, although she crept to the top of the stairway and shamelessly strained her ears. A few phrases she did catch:

"So the other one got away, after all?"

"That was Mr. Hilton in the doorway."

"Clean," another voice answered from the doorway. "And say! If that lad pulls through, his skull's sure made of good honest stuff. We found what he was hit with—and it was plenty."

About dawn Deborah went to the kitchen to make coffee. As she picked up the tray to go upstairs, the telephone rang. Before she could reach the instrument Mr. Hilton was there.

"The Herald?" he was saying. "How did you boys get hold of this? ... Who did? ... Okay. You may say he was trapped with information for a foreign government in his possession. ... Yes, fatally wounded. We—hold everything!"

He had just seen Deborah. Deborah remembered fumbling with shaking fingers to brace herself against the frame of the hall door. She remembered Mr. Hilton's remorseful face bending over her, comically foreshortened as she slumped to the floor.

After that, there was nothing until she floated back to consciousness in her own bed.

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BRANDIS THRIFT-WISE DRUG

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(To Be Concluded)

TOWER TONIGHT AND TOMORROW

THEY MET IN ARGENTINA

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SECOND HIT FEATURE

He's Off for a Dip in the Crime Waves!

THE SAINTS VACATION

HUGH SINCLAIR
SALLY GRAY

Cent PARKER • Arthur MACRAE
Lemon MCGRATH • Gordon MCLEOD
RKO RADIO Picture

By MERRILL BLOSSER

FRECKLES AND HIS FRIENDS

AND DO I FEEL RELIEVED! WE WERE JITTERY ABOUT THE WHOLE THING UP TO AN HOUR AGO!

WHEN'S GLORIA GLAMOUR GOING TO SHOW UP? WE HAVEN'T SEEN HER YET!

DON'T YOU WORRY ABOUT HER, BESS HERE, MY FRIEND—

JUST LET ME DO THE WORKING!

WE COMPLETELY FORGOT ABOUT THOSE POSTERS ANNOUNCING SHE'D BE HERE! WHAT'LL WE DO, FRECK?

IF WE HAVEN'T REBUND THIS DOUGH, I'LL LOSE MY MIND!

ME AND YOU BOTH! LET'S HIDE IT—THEN IF WE LOSE OUR MINDS, WE WON'T REMEMBER WHERE WE PUT IT!

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