



Justice Black

Justice Black started out, once was headed toward the United States senate but was shunted into the judiciary. When 61 years old he was promoted to the Supreme Court.

Hugo L. Black started out in law and politics in Birmingham, somewhat the same as Van Devanter had years before in Cheyenne. Black got to the senate, gained fame as a fiery New Deal ally, and following Van Devanter's retirement, he was chosen, at 51, to serve in the Supreme Court.



Justice Black—Scribble, Richmond Times-Dispatch

But before consenting to his appointment by President Roosevelt had a fine-spun legal argument. The courtesy rule requiring instant confirmation of nominations of senators had been waved aside. Doubt even had been raised about whether there was a job open—since Van Devanter merely "retired."

To this contention was added a legal theory that Black was ineligible because of his membership in congress when the law enabling justices to retire on full pay was passed.

Ku Klux Klan Ghost
NEW YORK'S Senator Copeland also questioned the wisdom of the appointment. He quoted newspaper accounts of Black's rise to the senate and charged he had been a Ku Klux Klan "sympathizer."

And the senate voted 63 to 16 to okay him. (That was a bigger margin than either Chief Justice Hughes or veteran Justice Brandeis got in it.) And New Dealers believed it would give them a 6-to-3 margin in the court this fall.

Scrappy Mr. Black seemed to lose some of his pugnacity while preparing to switch from his \$10,000-a-year place amid the senate clamor to a \$20,000-a-year position in the quiet \$12,000,000 temple of justice. "I'm tired," he said, as he sat in his office with Mrs. Black during the battle over his appointment.

The next day former Federal Judge Levitt of the Virgin Islands asked the high court's permission to question Black's right to a place on the bench. Levitt cited the same legal points that some senators had raised.

The Race To Go Home
CONGRESS raced along toward adjournment. (The eight-month session, clerks estimated, has cost about \$12,000,000.)

One of the most generally discussed proposals, wage and hour legislation, was being "amothered"—Representative Martin's word for it—in the house rules committee. Democrats favoring the bill were embittered by the committee's failure to give it the right of way.

The house passed the final big appropriation bill calling for \$98,820,375, with \$20,000,000 of it ticketed for farm tenants' aid. For farm purchasing loans there was \$10,000,000, and for conversion of the western "dust bowl" into a vast pasture, \$10,000,000. Restorations to the NLRB of \$876,500 precipitated an attack on the board by Mississippi's Rankin and Michigan's Huffstump.

The house also passed the housing bill. Approved in different form by the senate, it would launch a program of federal aid to states and cities in providing low-rent dwellings for low-salaried people.

Special Session 'I'
PRESIDENT ROOSEVELT told reporters in the middle of the week that calling of a special session this fall to take up crop-control legislation still was on his "if" list. A senate agriculture subcommittee decided to start hearings on the crop question in the south and west October 1.

The president scolded congress for tacking a price law onto an essential tax bill, but he did not veto it. The rider permits manufacturers to contract for minimum retail prices on their goods.

The president asked Frank R. McNinch, chairman of the federal power commission, to straighten out affairs of the federal communications commission, accused by Republicans of favoritism and encouragement of monopoly.

And the attorney general told the Bureau of Investigation to look into "nazi" training camps throughout the country to see if they were breaking any federal laws.

Mary Dewson's Record
Mary T. Dewson has been chosen by President Roosevelt for a social security board post. Miss Dewson went into big-time politics in 1928 to help Al Smith, but refused to take a walk with him last year because she thought wealth was "stacked up" against the New Deal. She has served in the Democratic national committee's feminine division, on the NRA consumer's advisory board and on the National Consumers' League labor standards committee.

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The WORLD This WEEK

At Home

'American Lord Macaulays'

Their anchor for the salvation of the ship of state is Macaulay's anchor: "Supreme power . . . in the hands of a class, numerous indeed, but select. . . My anchor is democracy—and more democracy."

In this way President Roosevelt replied, at Roanoke Island, N. C., to his outspoken critics. He quoted the objections to democracy as expressed by Lord Macaulay, the 19th century historian who didn't believe America would make good, and added: "Almost, methinks, I am reading not from Macaulay but from a resolution of the United States Chamber of Commerce, the Liberty League, the National Association of Manufacturers or the editorials written at the behest of some well-known newspaper proprietors."

The occasion was the 350th anniversary of the birth of Virginia Dare, first child of English parentage born on this continent. The President stood in a hot enclosure of reconstructed Fort Raleigh, where Sir Walter Raleigh's famous "lost colony" was established in 1587.

A message from Anthony Eden was read by Congressman Warren: "The celebration of this event cannot fail to stir the heart of every Englishman, on whom it impresses vividly the part that his forefathers played in the foundation of this great country."



Marcus in New York Times "Spoiling His Painting"

To Beat The Dust

Liberal, Kas. business men have financed a \$5,500 deep-well irrigation project serving 150 acres. They showed comparative cornfields to visitors, during a mild dust storm this week. The watered corn was green and tall; the dry field's crop, sparse and stubby.

Oklahoma's former Governor Murray, speaking at the demonstration project's dedication, urged that there be 250,000 deep wells. "They would pay for themselves each year of the drought," he argued.

South Dakota's Governor Jensen listened to officials of 41 western counties of his state this week as they reported dismal drought conditions and appealed for more federal relief funds.

Hot Trip Not Futile

Mrs. Esther Worman stowed away on a freighter in England to get to America, find her husband and fetch him home. The ship's hold was so hot she had to strip to endure the trip. Authorities found her nude at Galveston and ordered her deported.

This week immigration officials also did what Mrs. Worman had wanted to do—they found her husband, in New York. He was held on a charge of having entered the United States illegally in 1930.

Tennessee Killing

Albert Gooden, 35, negro, was charged with slaying the Mason, Tenn., marshal. The sheriff taking him to Covington this week reported that six masked men had seized the negro. The next morning searchers found his body, mangled by 30 bullets, a frayed rope around the neck, handcuffs still locked.

In Short . . .

Portugal broke diplomatic relations with Czechoslovakia when denied the right to buy arms.

Belfast police detained 13 men in connection with violence during the recent visit of King George.

Maine rejected a one per cent retail sales tax in a state-wide referendum.

Hundreds were homeless in Chile because of floods on the Bio-Bio and other rivers.

NYA will help only about a third as many college students this year as last year.

Seven men were killed by a steam explosion on the U. S. destroyer Cassin at the Philadelphia navy yard.

Married: Louise Hovick (Gypsy Rose Lee) to Robert Mizzy; Princess Maria Dolores de Bourbon of Spain, niece of ex-King Alfonso, to Polish Prince Czartoryski.

Divorced: Manuel Komroff, writer, from Mrs. Elinor M. Barnard Komroff, British artist.

Died: Cyril McNeille, author of "Building Drummond" stories; James McIntyre, minstrel man.

Two Cartoons Show The Clash Of Opinion On Wage-And-Hour Legislation



Harper in Birmingham Age-Herald



Doyle in Philadelphia Record

Abroad

5 Roads To Santander

General Franco's warriors apparently were stalled last weekend in their lunge at the loyalist line's center west of Madrid. Nor had they been able to complete an end-run on the east that would isolate Madrid from Valencia. So they took a fresh crack at Santander, in the silver of loyalist land left on Spain's northern coast.

Do posters said that smacking down Santander would (1) permit the insurgents and (2) permit them to throw more men into the other two battles.

Advancing along five roads to Santander, the insurgents by mid-week had seized Reinosa, a factory town, and carried their red and gold flag to within 25 miles of the goal. Loyalists reported Italy's "Black Arrow" brigade and 200 German planes were carrying the ball for Franco.

3 Adopted Children

After Allied troops dismembered the Turkish Empire in the World war, Syria, Iraq and Palestine became mandates. France undertook to steer Syria and Britain to guide Iraq and Palestine toward nationhood.

Arabia has raised so much hob with Jews in Palestine that Britain wants to operate on that mandate. Fearful of repercussions in Syria, "Papa" France has decided to have a talk about it with "Papa" Britain.

Iraq, meanwhile, has been changing cabinets as the result of the assassination of the army's chief. Former Premier Jamal Madfal was commissioned to form the new government and several exiled politicians packed up to return home. Among those in exile were some of the leaders of Arab nationalism.

'Green Hen' Trouble

Brazil's fascists wear green shirts, so some people call them "green hens." Their leader, Plinio Salgado, has a mustache like Hitler's and looks to Brazilians of German and Italian descent for support.

Brazil's presidential election is five months off, but already hot. The two leading candidates are Jose Americo de Almeida and Armando de Salles Oliveira. Both were denounced, at a fascist rally in Moscow this week, as fascists of Moscow.

A gun battle between the fascists and police followed. Eleven persons were killed.

Forecasts

Col. Leonard P. Ayres, Cleveland economist: "Business activity will hold up well during the remaining months of the year."

Bureau of Agricultural Economics report: "There appears to be little doubt that we are still in the advancing phase of the business cycle."

Bernard Gimbel, merchant: "Continued gains for department stores are expected for the fall, but those who look for phenomenal gains are likely to be disappointed."

People

Poisoner For The Poor?

Mrs. Anna Hahn, 31, comely immigrant mother, was indicted Monday in Cincinnati for two murders. Police said Mrs. Hahn had received between \$50,000 and \$70,000 in the last eight years from elderly Germans, and were investigating deaths of several of those old folk.

"I know I am innocent of this horrible crime," she protested, adding that her only ambition had been to have "enough money to take care of the poor unfortunates, the old people and the children."

The Racket-Buster Runs

Thomas E. Dewey, ex-choir singer, is only 35. He went to Gotham from a little town in Michigan and made his mark, a big dent, in the underworld's upper crust. Two years ago he gave up a \$50,000-a-year private law practice for a special \$16,695 job, prosecuting rackets.

Now he is running for New York county district attorney. "For 20 years Tammany Hall has controlled criminal prosecution," Dewey declares. "And for 20 years the power of the criminal underworld has grown. This alliance must be broken."

Personals

Col. Charles A. Lindbergh was reported seeking a home in France.

Former Mayor Jimmy Walker of New York got a job with the transit commission which enabled him to qualify for a city pension.

Mrs. Franklin D. Roosevelt was introduced by one policeman to another policeman at Waterbury, Conn., as "the sweetheart of all the world."

Flyers . . . Lost In Arctic

Third Time's Unlucky

Sigismund Levanevsky started the Russians' North Pole hopping game two years ago. He failed then. But to show he could do it he took off with five others in a four-motored plane last week for his country's third assault this summer on the Arctic air road to America. (The first two were successful.)

Forty hours passed. That was as long as his plane was deemed able to fly. But it contained camping equipment and six weeks' rations. Faint radio signals and word from Eskimos that they had heard plane motors kept home folk hopeful.

Levanevsky had flown into Siberia in '33 to rescue Jimmy Mattern and this week Mattern darted 2,600 miles from Oakland, Calif., to Fairbanks, Alaska, to join the American and Canadian airmen in the hunt for him.

Plane Comes, Plane Goes

Germany's 19-ton seaplane Nordmeer flew across the Atlantic early this week, landing at Port Washington, N. Y., just as the Pan-American Clipper III was being warmed up there for a flight across in the opposite direction by the same route. The American plane then made its crossing to the Azores with equal ease.

Oddly Enough

Subway Chicken

O. Henry dubbed New York "Bagdad on the Subway." Sure enough, a subway train looked like Bagdad the other night. For there sat a man dreamily plucking feathers from a chicken while murmuring, "She loves me, she loves me not."

The bird squawked; other passengers protested. "I'm not hurting him," the man insisted. "I'm a retired barber. I could pluck your eyebrows and you would go to sleep while I was doing it."

But they took him to court. "It takes time to cook a mature bird like that," he told the judge. "I just wanted to get the rooster ready before I got home."

Truth Is Stranger . . .

In fiction, "Boy meets girl, boy loses girl, boy gets girl." In reality, romance often has an O. Henry twist at the end—as did this week's Oklahoma true story:

The boy, 19, met the girl, 15. He lost her for two years when she was sent to the State Training School for Girls at Tecumseh. He found her this summer when the institution's superintendent let some of the inmates have dates as an experiment. And he married her last Sunday—so the state paroled her to him.

Coming Up

Sunday National Rifle Matches open, Camp Perry, Ohio.

Italy to launch second 35,000-ton battleship, the Littorio.

Monday United Auto Workers convention opens, Milwaukee.

Tuesday Seventh-Day Baptist general conference opens, Shiloh, N. J.

Defense At Any Cost

BEFORE the battle was a week old it was more destructive than the five-week fight at Shanghai five years earlier. More than 100,000 men were engaged. About 1,400 non-combatants, including some Americans, had been slain; 1,600 wounded.

Front lines grew longer; more men were needed to hold them. Planes carried the war sparks on up the Yangtze valley. Japanese land forces were reported backing up—but not whipped yet.

In North China, meanwhile, the 65,000 Japanese soldiers sitting on the dragon's tail called in help to hold it down. Fighting continued near the great wall. But an underground separatist movement, to make peace with Japan regardless of the Chinese central government's stance, gained momentum.

"We are determined to defend our territory at all costs," said China's General Chiang Kai-shek—despite the widespread opinion that his gladiators needed more training before facing Japan.

"The Chinese grow presumptuous and advance two steps if the Japanese concede one," the attacking navy concluded as it promised "more effective measures for self defense"—despite the fact that the Tokyo treasury was not in shape for more than a three-month war.

Labor

Weir Vs. NLRB

Ernest T. Weir, 62, a typical business man in appearance, heads the fast growing National Steel Corp., of which the Weirton Steel Company is the biggest unit.

The steelmaster won a tiff with NRA over his firm's employee-representation system; this week he was opposing NLRB with the employee representatives' aid.

But two former Weirton employees testified at a hearing in New Cumberland, W. Va., that they had been discharged for not joining the representation group; another declared a CIO organizer had been beaten up by a "hatchet gang."

Senator Russ L. Holt told an anti-CIO rally in Weirton, W. Va., on the eve of the hearing, that NLRB was "just another alphabetical way to spell CIO."

Working On The Railroads

The five "operating" brotherhoods of railroadmen (300,000 strong) were conferring this week with management representatives. They wanted wages raised 20 per cent.

The 14 "non-operating" brotherhoods recently made the same demand for their 800,000 members, and got 5 per cent boosts this month. But the Illinois Central, Burlington and Milwaukee announced this increase in pay necessitated a decrease in employment.

Terror Tales

The United Rubber Workers accused the Goodyear Tire & Rubber Co., at Gadsden, Ala., of "terrorism." The company, in effect, answered "ditto." The NLRB has proceeded to hear the charges and counter charges.

Labor Notes

Maritime labor disputes continued along the Atlantic coast. Manufacturers and CIO leaders made settlements reducing the extent of the strike.

AFL announced it would compete with CIO for support of agricultural and white-collar workers.

Five persons were injured in a riot at the strike-bound National Cooper and Woodenware Co. plant in Peoria, Ill.

Angry Dragon

JAPAN taunted the Russian bear early in July about islands in the Amur on Manchoukuo's frontier. The bear was busy, scratching and pawing spits out of his fur. His growl did not sound as though he would fight.

Japan's army then jumped on the Chinese dragon's tail and quickly sliced off the Peiping-Tientsin section. Japan's navy soon sidled toward the dragon's head and heart, Shanghai and Nanking. Then the angry dragon roared and spat fire, American, British, French and German women and children ran for their lives.

The dragon is so big that in previous bouts the Japanese have been able to treat him the way fast boxers handle Primo Carnera. But the dragon's hide is tough from years of punishment, his head is hot with hate, and lately he has been improving his technique.

So the thousands of mere men perching on Shanghai rooftops this week witnessed a first-rate fight for the heavyweight championship of the Orient.

Rain Of Death

THIS is what they saw: Chinese planes slipping out of clouds to bomb a warship docked near the Japanese consulate. Chinese artillery and infantry rushing forward to keep the Japanese from getting a foothold the way they did in '32. . . . Japanese naval bombers gracefully wheeling over the city of 3,500,000 before dumping explosives.

Steadily mounting horror. . . . Fires crackling around oil tanks. . . . More than 50 Japanese warships scurrying up and down the river, hurling broadsides. . . . Chinese rushing and scuttling six Japanese steamers to blockades the Whangpoo. . . . Searchlights picking out targets. . . . Countless bodies sprawled in the litter of broken glass and masonry.

U. S. marines and European soldiers landing hurriedly. . . . Armored cars driving back hungry rioters. . . . Hotels and stores barricaded against looters. . . . Hot steel raining on the streets. . . . American women and children going out to ocean liners through showers of anti-aircraft shell fragments and fire from snipers along shores.

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American Interests

TO PROTECT Americans, 1,200 U. S. marines were ordered from San Diego to Shanghai. Congress was asked for \$500,000 for relief and evacuation work and Manila prepared to shelter 2,700 refugees.

Sensors Nye, Bone and Clark thought President Roosevelt should invoke the U. S. neutrality law—in other words, deny American arms, munitions and loans to both sides.

Commerce Secretary Roper reported that in the first five months of this year Uncle Sam's exports to Japan were \$140,325,000 and sales to China \$26,256,000. Purchases from Japan totaled \$92,392,000 and from China \$51,653,000.

Because the bulk of America's exports to Japan were cotton and oil, vast sections of the United States had a bread-and-butter interest in the Asiatic fight. Roper declared: "We do not wish to sacrifice any proper trade relationship."

England and France, meanwhile, joined in proposing a truce. The League of Nations wondered what to do if China brought the matter of Japanese aggression up when the league council meets in September.

John Bull Is Annoyed

"This promiscuous sinking of ships is getting a bit sleep," the British admiralty's spokesman remarked this week regarding the Mediterranean perils of navigators. "We are simply telling the world we will take action. That's flat. If one of our ships is attacked without warning we will sink whoever did it. That's it in a nutshell."

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