

News Review of Current Events the World Over

Supreme Court Bars Reservations to Oath of Allegiance—Economy Plans for Post Office Department Are Announced.

By EDWARD W. PICKARD



Justice Sutherland

FIVE Justices of the United States Supreme court have ruled, in the case of Prof. Douglas C. Macintosh of the Yale divinity school, that a foreigner who seeks American citizenship must take the oath with no reservations about taking up arms for the country in time of war. Macintosh refused to swear allegiance without limiting his obligation to bear arms, and therefore is denied the right of naturalization. The same decision was made in the case of Miss Marie Averill Bland. Both she and Macintosh are Canadians and both saw wartime service in France. Justice Howard Sutherland, who wrote the majority opinion, held that the cases properly came within the principle laid down in the case of Rosika Schwimmer, pacifist leader, who was denied citizenship on virtually the same grounds. He discussed the broad omnipotent war power granted congress by the Constitution, saying: "From its very nature, the war power, when necessity calls for its exercise, tolerates no qualifications or limitations unless found in the Constitution or in applicable principles of international law."

"The conscientious objector," Justice Sutherland added, "is relieved from the obligation to bear arms in obedience to no constitutional provision, expressed or implied; but because, and only because, it has accorded with the policy of congress thus to relieve him."

Chief Justice Hughes, joined by Justices Holmes, Brandeis and Stone, dissented from the majority opinion.

TWO other decisions of the Supreme court during the week are of great interest. One reversed the judgment of the Circuit Court of Appeals sustaining the patent granted Dr. Irving Langmuir in 1925 on vacuum tubes used in radio and other speech-reproduction processes. The patent is owned by the General Electric company. It was attacked by the De Forest Radio company, which contended that unless the Langmuir patents were set aside General Electric would have a virtual monopoly of the radio tube now in common use.

In the second decision the powers of the federal trade commission to regulate advertising are restricted. The commission had ordered the Raladam company of Detroit to cease advertising an obesity remedy as "safe" unless accompanied by a statement that it should be taken under advice of a physician. The commission held it had the right to protect the public in this way, but the Detroit concern complained that the body was trying to censor advertising. In this contention it was upheld by the court.

PROF. AUGUST PICCARD, Swiss scientist, and his assistant, Charles Kipfer, established a new record by ascending 52,500 feet in a balloon. They are convinced they reached the stratosphere and that their observations will be of considerable value. They started from Augsburg, Bavaria, being hermetically sealed in an aluminum ball suspended from a large balloon; 18 hours later they landed on a glacier in the Alps of Austrian Tyrol. They nearly suffocated because their supply of oxygen ran short, and they suffered from hunger and thirst.

EVERY time President Hoover takes some cabinet member to the Rapidan camp for a week-end, further plans for reducing the government's overhead are concocted. First came the Army and Navy departments, and then it was the turn of the Post Office department. Postmaster General Walter Brown and his assistants were the guests and the "victims," and after the conference in the woods it was announced that a program had been adopted that would save \$38,000,000 in the present fiscal year and that would produce many economies next year. However, it was emphatically stated that efficiency would be increased instead of diminished and that there would be no decrease in personnel.

The statement indicated that the department has felt the depression. It was estimated that due to business conditions revenues to the department this year would be \$38,000,000 below the original estimates.

SECRETARY OF AGRICULTURE Hyde seems to be forestalling these Rapidan camp operations by planning considerable economies in his department expenditures, though this is difficult without curtailing important services. He will be aided during the year by the termination of two

emergency items—drought relief and highway construction. These totaled \$100,000,000, providing aid for stricken farmers and jobs for the unemployed. Drought loans will be collected from farmers next fall, when their crops are harvested. States which have borrowed from the \$80,000,000 emergency highway fund will repay the money over a five-year period through deductions from their regular shares of federal aid.

After deducting extension service and land grant college funds, between \$40,000,000 and \$50,000,000 remains for the department's actual expenses.

THIS year's Memorial day address by President Hoover was delivered in the memorial park at Valley Forge, Pennsylvania, where George Washington and his ragged troops spent a terrible winter 153 years ago, and where more than 3,000 of those patriots are buried. The exercises of the day were impressive. Two thousand troops acted as escort to President and Mrs. Hoover and a battery from Phoenixville fired the salute. In his address Mr. Hoover reviewed his past policies in international matters and outlined his plans for the future, especially concerning the reduction of armaments.

The night preceding this, the President was the guest of the Union League club of Philadelphia at a banquet where he was presented with an oil portrait of himself.

EXPERTS from many lands were present when the international labor conference opened in Geneva, but the United States was not represented. Secretary of Labor Doak appointed Miss Mary Anderson, chief of the woman's bureau, as the American delegate and she sailed May 12, with the special hope that the conference might adopt an agreement banning night work by women. But just after Miss Anderson reached Europe Mr. Doak sent her a cable instructing her to stay away from Geneva and giving her other missions for the department.

Making his action public, the labor secretary merely said the State department had deemed it "wholly inadvisable" to have any one from the United States government at Geneva, either in official or unofficial capacity.

MRS. HARRY PAYNE WHITNEY's memorial typifying the heroism of the men who went down with the Titanic in order that women and children might be saved was unveiled on the banks of the Potomac in Washington in the presence of President and Mrs. Hoover, and many other prominent persons. Secretary of State Stimson presided at the ceremony. The statue is the contribution of more than 20,000 American women.

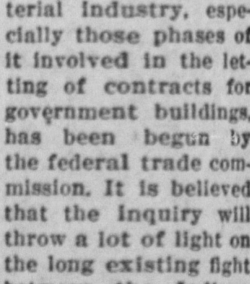
MICHELE SCHIRRU, an Italian born naturalized citizen of the United States, was executed by a firing squad in Rome after being convicted of plotting to kill Mussolini and of other activities against Fascism. Schirru admitted his guilt, but said his plans had been abandoned and he was about to return to America when arrested.

INVESTIGATION of the building material industry, especially those phases of it involved in the letting of contracts for government buildings, has been begun by the federal trade commission. It is believed that the inquiry will throw a lot of light on the long existing fight between the Indiana limestone men and the granite and marble men of New England. Such, at least, is the hope of Senator Henrik Shipstead of Minnesota, who introduced the resolution calling for the investigation.

The trade commission, announcing that preliminary work already had been started, said:

"In this inquiry the commission will investigate and report facts relating to the letting of contracts for the construction of government buildings, particularly with a view of determining whether or not there are or have been any price fixing or other agreements, understandings or combinations of interests among individuals, partnerships, or corporations engaged in the production, manufacture or sale of building materials with respect to the prices or other terms at or under which such materials will be furnished to contractors or bidders for such construction work."

Senator Shipstead said he introduced the resolution because of complaints that such collusion between the purveyors of building materials did exist and because of further com-



Senator Shipstead

plaints, seemingly aimed at the handling of contracts by the government itself, that specifications for buildings were so framed that they unfairly limited the sources from which materials could come.

The limestone-granite-marble controversy falls in the latter category. The charges are that Indiana's advocates have been too influential and have somehow or other put "Indiana limestone" into the specifications for too many government buildings.



Queen Helene

EXILE from Rumania and expulsion from the royal family of that country is the fate arranged for Queen Helene, the estranged wife of King Carol. According to Patria, the official organ of the Zaranist party in Bucharest, a decree has been drafted for submission to the new parliament confirming Helene's exclusion and declaring that she is no longer entitled to the rights and honors accorded to royalty. Parliament is expected to adopt the measure as soon as it assembles, and Helene will leave the country permanently soon thereafter, terminating her uncertain marital status of more than two years. Observance of the queen's saint day last Thursday was forbidden in an order issued by War Minister Stephanesco and authorized by Premier Jorga.

Helene divorced Carol while he was in exile in 1928 with Magda Lupescu. When he made a dramatic flying return to Bucharest last year she spurned his overtures toward a reconciliation and steadfastly refused to be crowned with him.

REFORM and retrenchment in the army of Japan have been decided upon by War Minister Gen. Jiro Minami, Chief of Staff Gen. Hanji Kanaya and Gen. Nobuyoshi Muto, Inspector general of military education. The army personnel will be reduced by 25,000 and the savings will be devoted to making the army the best equipped in the world.

The people had hoped that the money would go toward lightening their tax burdens; but the war minister explains that only \$4,000,000 a year will be saved through the readjustments planned, and this amount, while hardly noticeable in any tax reduction program, will greatly aid the nation in placing the army on a level with that of Soviet Russia and other countries which maintain effectively equipped forces.

SPAIN'S new Republican government is far from being stabilized yet. Its troubles, both external and internal, continue to cause some uneasiness. According to the authorities in Andalusia, a martial law which was proclaimed there several weeks ago may have to be continued indefinitely because of the turbulence of the Communists. Also, martial law has been reinstated in Elda, Valencia, where there was a violent revolt last December. The army, now under command of Don Francisco Aguilera, the new captain general, is kept in readiness to suppress any uprisings anywhere, of either Communists or royalists. Elections in Catalonia resulted in complete victory for Colonel Francisco Macia's party. The assembly therefore will be dominated by those who demand autonomy for Catalonia under the authority of the central government.

The other day the Republican government issued a decree guaranteeing absolute freedom of worship to all religions. The pope regarded this as a clear violation of the concordat still in existence between Spain and the Vatican, and he sent a formal protest to Madrid after a conference with Cardinal Segura, the expelled primate of Spain.

CHINA appears to be on the brink of another civil war. President Chiang Kai-shek bitterly denounces the Communist rebels of Kwantung and Kwangsi provinces and says the Nationalist government is forced to choose between accepting Communism into the party, which it will not do, or resorting to war. Large bodies of troops were reported to be moving toward Canton to attack the insurgents.

THROUGH its chairman, J. Weston Allen, the national crime commission makes a report asking all states to pass a uniform law regulating theft information, ownership records and registration to check the growing evil of automobile thefts and the use of stolen cars by criminals.

The committee also recommends the enactment by congress of the bill which makes criminal the transportation in interstate or foreign commerce of property stolen or taken feloniously by fraud or with the intent to steal or purloin. The bill passed the house of representatives but did not reach the senate during the last session of congress.

HAVING changed his mind about appealing from his conviction and sentence for bribery, Albert B. Fall, former secretary of the Interior, has asked the Supreme Court of the United States to reverse the decision of the District Court of Appeals. His brief attacks the validity of the indictment and the admission of certain evidence.

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"I'll Call Her Old Glory!"



CAPT. WILLIAM DRIVER



CAPT. DRIVER'S MONUMENT IN OLD CITY CEMETERY, NASHVILLE, TENN.

By ELMO SCOTT WATSON

THE American flag, whose birthday we celebrate on June 14, is known by a number of figurative names. It is probable that it was called "The Red, White and Blue" or "The Stars and Stripes" very soon after the first flag was made in accordance with the resolution passed by the Continental congress on June 14, 1777. "That the flag of the United States be 13 stripes, alternate red and white; that the union be 13 stars, white in a blue field, representing a new constellation."

The name "The Star-Spangled Banner" dates from 1814 when Francis Scott Key, watching the British bombardment of Fort M'Henry, was inspired to write the poem which was later set to music and became the official national anthem. But the name "Old Glory" is a more recent one. It was just a hundred years ago that a Yankee skipper had the inspiration which resulted in that affectionate name being bestowed upon our national colors. Here is the story of how "Old Glory" got that name:

From the beginning of New England maritime history the Driver family of Salem, Mass., had been leaders in the shipping trade, not only as shipbuilders but as owners, captains and sailors of their own vessels. In the year 1831 Capt. William Driver was carrying on the family tradition. As a boy of twelve he had shipped on a sailing vessel for Europe and before he was twenty he was master of the brig, Charles Baggett, one of that innumerable fleet which sailed the Seven Seas and carried the name of Salem to every corner of the earth.

In September of that year Captain Driver was preparing to sail for a trip around the world. Just before leaving a party of his friends gathered to present him with a farewell gift, an American flag, because he was noted for his love for the national colors and what they betokened. Captain Driver was on deck to receive them and a sailor, carrying the flag, folded in triangular form, stepped forward and began a carefully memorized speech.

"In ancient times, when an ocean voyage was looked upon with superstitious dread," he said, "it was the custom on the eve of departure to roll the banner in the form of a triangle. When ready the priest stepped forward and taking the banner in hand, sprinkled it with consecrated water and dedicated it to 'God the Father, God the son and God the Holy host,' turning the point of the triangle upward at the name of each, thus calling on that unity of Creator, Redeemer and Sanctifier to bless the national emblem and prosper the voyagers and their friends. The flag thus consecrated was then hoisted to the masthead."

He then adjusted the flag to the halyards and hoisted it to its position at the masthead. Captain Driver, overcome with emotion, was silent for a moment. Then as he looked aloft and saw the flag which he loved so well floating in the breeze he exclaimed: "I'll call her Old Glory, boys; Old Glory!" And thus was the Amer-

ican flag christened with a new name for he was the first to use that name and by no other did he ever refer to it.

The voyage which was so appropriately inaugurated carried the original "Old Glory" into many harbors throughout the world and into even more during the next six years while Captain Driver sailed the sea. During one of his voyages into the Orient he had made a camphorwood sea chest, brass-bound and decorated with nailheads, in which he placed the original "Old Glory" when it was not floating at the masthead of his ship. And this flag had an even more thrilling later history than its early one.

In 1837 Captain Driver retired from the sea and went to Nashville, Tenn., to make his home, but when he sold his ship he did not sell "Old Glory." Safe in its camphorwood chest it went to Tennessee with him. On patriotic occasions had on his own birthday—St. Patrick's day, for he was born March 17, 1806—it was taken from the chest and hung to the breeze for all to see and to reverence. And Captain Driver invariably saluted it with these words, "My country, my flag—Old Glory!"

As the dispute between the North and South became more intense and the Civil war drew nearer and nearer, Captain Driver became increasingly unpopular with his neighbors in Nashville because of his outspoken devotion to his country and his flag. During the Presidential campaign "Old Glory" was displayed on a rope stretched from his home to a tree across the street but the bitterness of that campaign brought to Captain Driver's ears unmistakable hints that his flag might be stolen or destroyed, so he bought another flag for display and retired "Old Glory" once more to its camphorwood chest.

After the secession of Tennessee from the Union, the captain began to fear for safety of his flag at the hands of the Confederates. So he took it by night to the house of a Union sympathizer named Bailey and asked Mrs. Bailey and her daughters, Mary and Patience, to hide it for him so that it could not be found and destroyed if the Confederates searched his house. At the time Mary and Patience Bailey were making a comfort, padding it heavily with cotton, and thus suggested an ideal hiding place. So Captain Driver folded "Old Glory," placed it between the layers of cotton in the comfort where the Bailey girls tucked it in and sewed up the outside covering. Again at night Captain Driver took the comfort to his home and placed it in a large iron wash kettle in the attic of his home.

There "Old Glory" stayed until Union troops occupied Nashville in February, 1862. Immediately thereafter Captain Driver and a group of soldiers ripped open the comfort, took out the flag and hoisted it over the state capitol to the strains of "The Star-Spangled Banner," played by a regimental band. It remained there for hours, but so fearful was Captain Driver that his flag might even then be injured by a hostile hand that he stood guard over it day and night. In the morning "Old Glory" was taken down and replaced with another Amer-

ican flag. By this time it was very old, much worn and the captain feared that a strong wind would whip it to pieces.

After this "Old Glory" was always kept in the captain's house and late in his life he gave it to his daughter, Mrs. M. J. Roland of Nevada, where, so far as is known, it still is. In 1907 the flag had become so worn that Mrs. Roland placed it on a piece of sheeting and stitched it fast to the cloth to preserve it for future generations of the family. Captain Driver died March 2, 1886, and was buried in Old City cemetery in Nashville.

Just as it was a Yankee sea captain which gave to our flag its name of "Old Glory," so it was that another Yankee—a soldier, instead of a sailor, however—who took another "Old Glory" on one of the most romantic expeditions in our history. Bates was his name and he had served as color sergeant in the Twenty-fourth Massachusetts regiment during the Civil war. In 1872 Color Sergeant Bates had an idea which he proceeded to put into effect in a dramatic fashion.

At that time there was much talk in this country of the hostility of Great Britain toward the United States. Determined to find out for himself whether this talk was fostered by politicians for their own selfish ends or was a genuine antipathy, Bates resolved to cross the Atlantic, start from the northern border of England and march to London bearing aloft an unfurled American flag just as he had done on the battlefields of 1861-65. His reception by the people of England would show whether or not there was any foundation for this talk of John Bull's hostility toward Uncle Sam.

Clad in his uniform of blue, Sergeant Bates on November 5—Guy Fawkes day and the anniversary of the Battle of Inkerman—left Edinburgh for Gretna Green. At Sark bridge on the border line between Scotland and England he unfurled "Old Glory" and stood beneath it with uncovered head. Then he started on his march. That evening he tramped into Carlisle where a group of commercial travelers at the Bush hotel gave him a hearty welcome. More than that; they sent word on ahead of his strange pilgrimage and when he came to the mining towns of Penrith and Shap, great crowds of miners were on hand to cheer him.

The warm welcome given Bates there was repeated in every place through which he traveled.

The London daily press gave much space to the American soldier on December 2. A dense mass packed the Guildhall yard, where a British sergeant was carrying the English standard. Bates was borne on the shoulders of men into the crowded Guildhall, and then back to the carriage, from which he made a speech before referring his flag.

Bates' reception in London was the crowning touch to his pilgrimage. There was no longer any doubt of John Bull's friendliness toward Uncle Sam, at least so far as the common people of England were concerned.

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