

# what Irvin S. Cobb thinks about:

**The State of the World.**  
**SANTA MONICA, CALIF.**—Up in Montreal a veteran showman says he talks with chimpanzees in their own language. I wish he'd ask one of his chimpanzee pals what he thinks about the present setup of civilization.

Because I can't find any humans who agree as to where we all are going and what the chances are of getting there. In fact, the only two who appear to be certain about it are young Mr. Corcoran and young Mr. Cohen, and they seem to hesitate at times—not much, but just a teeny-weeny bit—which is disconcerting to the lay mind. We are likely to lose confidence even in a comet, once it starts wobbling on us.



Irvin S. Cobb

I'm also upset by a statement from England's greatest star-gazer—they call him the astronomer royal, which, by coupling it with the royal family, naturally gives astronomy a great social boost in England and admits it to the best circles. He says the moon is clear off its mathematically prescribed course.

**Cash Versus I. O. U.'s.**  
**ONLY** a few weeks ago the front pages were carrying dispatches saying the adjustment of Great Britain's defaulted debt was just around the corner. Economists and financiers had discussed terms of settlement. Figures were quoted—mainly figures calling for big reductions on our part, but never mind that. They were figures anyhow.

Lately the papers have been strangely silent on the subject. Perhaps you remember the old story told on the late John Sharp Williams, who frequented a game at Washington where sportive statesmen played poker for heavy stakes—mostly with those quaint little fictional products called I. O. U.'s as mediums of exchange.

Early one morning a fellow senator met the famous Mississippi coming from an all-night session. "I certainly mopped up," he proclaimed. "I won \$3,000—and what's more, \$8.75 of it was in cash."

### Autumn Millinery.

**JUST** as the poor, bewildered males are becoming reconciled to the prevalent styles in women's hats, up bobs a style creator in New York warning us that what we've thus far endured is merely a foretaste of what's coming. In other words, we ain't seen nothin'!

For autumn, he predicts a quaint number with a slanted peak fifteen inches high, which, I take it, will make the wearer look like a refugee trying to escape from under a collapsing pagoda.

Another is a turban entirely composed of rooster feathers.

A matching coat of rooster feathers goes with this design. But in the old days they used hot tar.

A third model features for its top-hammer a series of kalsomine brushes sticking straight up. Naturally, the hat itself will imitate a barrel of whitewash.

But the gem of all is a dainty globular structure of Scotch plaid. Can you imagine anything more becoming to your lady wife than an effect suggesting that she's balancing a hot-water bag on her brow?

### "McGuffeyism."

**THE** lieutenant-governor of Ohio urges a return to "McGuffeyism" for settling modern problems.

"Twas in a McGuffey reader that I met those prize half-wits of literature—the Spartan boy who let the fox gnaw his vitals; the chuckle-headed youth who stood on the burning deck; the congenial idiot who climbed an alp in midwinter while wearing nothing but a night shirt, and carrying a banner labeled "Excelsior" in order to freeze to death; the skipper who, when the ship was sinking, undertook to calm the passengers by—but wait, read the immortal lines:

"We are lost!" the captain shouted, As he staggered down the stair.

And then the champion of all—the Dutch lad who discovered a leak in the dyke so he stuck his wrist in the crevice and all night stayed there. In the morning, when an early riser came along and asked what was the general idea, the heroic urchin said—but let me quote the exact language of the book:

"I am hindering the sea from running in," was the simple reply of the child."

Simple? I'll tell the world! Nothing could be simpler except an authority on hydraulics who figures that, when the Atlantic ocean starts boring through a crack in a mud wall, you can hold it back by using one small Dutch boy's arm for a stopper.

### Bamboo Largest of Grasses

The giant bamboo is doubtless the largest of the grasses. The arundinacea grows to 100 feet high and the variety Tulda to 70 feet high. There are other very high varieties.

## News Review of Current Events

### ATTACKS BRITISH ENVOY

Jap Aviator Shoots Ambassador to China . . . Congress Adjourns . . . Fails to Pass Most of 'Must' Legislation



A breathing spell! Members of the 75th congress, happy in adjournment, at last, file out of the Capitol in Washington.

## Edward W. Pickard SUMMARIZES THE WORLD'S WEEK

### Jap Airman Courts Fate

**A** JAPANESE army aviator precipitated the gravest international Far East crisis since the fighting began in Shanghai, and perhaps indeed since the Boxer rebellion, when he swooped down upon a Chinese road to pour machine gun bullets into an automobile flying the British Union Jack from its radiator.

One of the bullets pierced the body of Sir Hughie Natchbull-Hughes, Great Britain's ambassador to China, as he sped in the car to attend a conference with British foreign service officials. The ambassador, a veteran of 30 years in the service, was rushed 50 miles to Country hospital where an operation was performed.

Sir Hughie was the highest ranking British official in China, where Great Britain has enormous interests at stake. He was attacked by a Japanese airplane which did not even have the right of a belligerent—since no war had been declared—while his conveyance was flying the British colors. The last comparable incident in China was the Boxer rebellion of 1900, when the German Ambassador von Kettler was shot and killed in Peiping.

### Hooray! School Is Out!

**E**VEN if there were more than a few threats of "Wait'll I get you after school," the nation's lawmakers were happy as schoolboys at the end of the term, as the first session of the Seventy-fifth congress came to a close at last. The senators and representatives, fairly bogged down with months of wrangling, much of it futile, through the intolerable Washington summer, were glad of release, even if such release carried the implication that there might be a special session in October.

But the legislators left the Capitol in the realization that the session just ended will probably become known less for what it did than what it did not do.

Four out of five of President Roosevelt's major "must" measures it did not pass; the fifth it passed only with reservations which put a new complexion upon it.

Congress did not pass the wages and hours bill. After being passed by the senate in unacceptable form, with the understanding that it would be improved in the house, the bill was still buried with the house rules committee when the bell rang.

Congress did not pass the new crop control bill which includes Secretary Wallace's "ever-normal granary" project. It was agreed that this legislation be brought up during the first week of the January session or the special session.

It did not pass the President's desired legislation for re-organization of the executive department. It did vote the White House six new secretaries, though.

It did not pass the proposal to increase the membership of the Supreme court by six justices, who would apparently be selected with a view to insuring the constitutionality of New Deal measures. By a vote of 70 to 20 it permitted a substitute measure, which would have added the justices one at a time, to die a natural death in committee.

In addition to failing to enact this legislation demanded by the chief executive, congress defeated the Norris bill to create seven "little TVA's," and the crop insurance bill, proposing a revolving fund of \$100,000,000. The senate failed to ratify the sanitary convention with Argentina, modifying the restrictions on imports of meat and live stock.

However, congress did: Pass the Wagner low-cost housing bill, but with restrictions on the unit cost which will, it is charged, make the program virtually unavailable for New York and other large cities which constitute the principal slum problems. The \$526,000,000 measure was on the President's "must" list.

Pass a sugar quota which may be vetoed by the President. He threatened to veto such a bill if it limited the output of Puerto Rico and Hawaii to 128,000 and 29,000 short tons annually, and it does just that.

Extend the neutrality law to prohibit the shipment of arms, am-

munition and implements of war to belligerents or extension of credit to them.

Pass the Guffey act, creating a commission to fix prices and control the marketing of bituminous coal. Appropriate \$1,500,000 for work relief in the current fiscal year.

Pass a bill to outlaw personal holding companies and other alleged means of tax evasion.

Passed a reform bill for the lower courts, designed to speed appeals to the Supreme court and permit the Department of Justice to intervene in cases involving the constitutionality of a statute.

Ratified the Buenos Aires "peace treaties," which include a consultative pact for common course of action when war anywhere threatens the American republics.

Extended the CCC three years. The President had asked that it be made permanent.

Passed a farm tenancy bill to help share croppers buy their own farms. This provides for the expenditure of \$10,000,000 the first year, \$25,000,000 the second year and \$50,000,000 in succeeding years.

### Railroad Strike Threatens

**ONLY** successful mediation by the United States government appeared as a chance to prevent a nation-wide strike of 350,000 railroad workers as railroad representatives flatly refused the 20 per cent pay increase demanded by the "big five" railroad brotherhoods in Chicago conference. The unions said their only recourse was to call out conductors, engineers, firemen, switchmen and trainmen.

Federal mediation would automatically postpone the strike 30 days. The national mediation board named Dr. William M. Leiserson, one of its members, to conduct hearings.

Railroads' financial condition precluded the granting of wage increases, said H. A. Enoch, chairman of the carriers' committee. The increase requested would add \$116,000,000 a year to operating costs, of which \$2,000,000 would be for extra social security taxes and \$4,000,000 for extra retirement fund taxes, he said.

### Planes Land Without Eyes

**AT** OAKLAND, CALIF., civilian and army fliers proved that air transport planes can now be landed under conditions which prevent the pilot from gaining the slightest glimpse of the ground. Using only a radio beam for "eyes," pilots made 100 perfect "blind" landings at the airport there with a Boeing 247-D plane, of the type now used on several of the nation's commercial air lines.

The cockpit windows were covered with metal screens to prevent their sneaking so much as a peek at the field. Many pilots flew the ship and, although some of them had never operated that type of plane before, not a single landing was made outside the 200-foot runway.

So successful were the tests, the bureau of air commerce, army, navy and commercial airlines representatives present agreed that the system would be adopted for the country as a whole. The system, which makes it possible to bring a ship safely to earth, even through snow, rain, fog or dust, was called by authorities the most dramatic thing of its kind since the first flight of the Wright brothers.

### Andrew W. Mellon Is Dead

**ANDREW W. MELLON**, reputedly one of the four richest men in the United States and secretary of the treasury in three cabinets, died of uremia and bronchial pneumonia at the home of his son-in-law at Southampton, N. Y. He was eighty-two years old.

Shortly before his death he had fulfilled the ambition of his life by giving to the nation what he termed the "nucleus" of one of the finest art collections in the world. The collection he gave was valued at \$50,000,000. Excavation is now under way for a \$15,000,000 building to house the collection in Washington.

### Japanese Turn Tide

**S**UCCESSING in landing thousands of reinforcements from its transport ships, the Japanese appeared ready to turn the tide of ground battle in the undeclared war in China, while their navy threw a blockade around 800 miles of the Chinese seacoast from Shanghai nearly to Canton, in South China.

Only at terrific cost were the reinforcements getting ashore. Many entire landing parties were blown to bits as they attempted to take shore positions under a blaze of machine gun fire and in the face of artillery shells and land mine explosions.

More than a quarter of a million men were reported engaged in the fighting along a front stretching from Shanghai northward to Tientsin, Peiping, Nankow and Changpei, deep in Chahar province and north to the Great Wall.

At the northern end of the front the pro-Japanese Mongol troops of Prince Teh battled combined Chinese regular and communist armies. Japanese reported the capture of Kalgan, capital of Chahar, shutting off Chinese communication with Mongolia, while the routed Chinese troops fled to the south. Japanese forces broke through the stubborn Chinese defenses at Nankow and penetrated the Great Wall. They were reported to have succeeded in escaping narrowly a strategic Chinese maneuver which would have trapped 30,000 Japanese troops south and west of Peiping. Chinese positions south of Peiping were dominated by the well-equipped, well-trained and mechanized Japanese army, which captured the commanding high land.

But despite all this activity to the north it was upon Shanghai that the full horror of the war descended. The international settlement was little safer than any of the rest of the great port, except, perhaps, the native district of Chapei, which was gutted by flames and torn by bombs and shells. After two weeks of fighting in Shanghai, there were reported to be 5,160 casualties in the international settlement and the French concession, including 1,760 fatalities.

### Guffey's Unholy Three

**SINCE** the fight on the President's court plan began in the senate, it has become more and more obvious that a serious split impends in the Democratic party ranks. It was not a secret that certain of the senators and representatives were marked for extinction, fish fries and harmony dinners notwithstanding.

But few expected the bombshell that broke when Sen. Joseph F. Guffey of Pennsylvania, in a radio speech just before the end of the session, openly named Senators O'Mahoney of Texas, Burke of Nebraska and Wheeler of Montana as senators who would not return to Washington after the next elections.

### Admiral Yarnell Protests

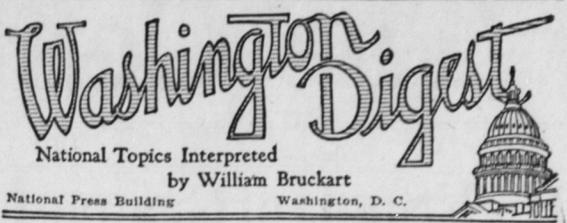
**UNCLE SAM** was brought nearer than ever to the unofficial war in North China when a shell exploded on the deck of the Augusta, flagship of the United States Asiatic fleet, killing Freddie John Falgout, a seaman, and wounding 18 others of the crew. The ship was lying at anchor in the Whangpoo river in the heart of the International Settlement of Shanghai. It was impossible to determine whether the shell had been fired by the Chinese or Japanese.

Admiral Harry E. Yarnell, commander of the fleet, warned the governments of both nations against shellfire over American and foreign warships. The President and the State department were inclined to leave diplomatic overtures to the military, naval and diplomatic officers in China. The President declared that under the circumstances accidents such as the one which beset the Augusta were bound to occur.

### Santander Falls to Franco

**SPAIN'S** thirteen-month-old civil war drew one step nearer to a close as Gen. Francisco Franco's army captured the city of Santander, last important government outpost on the northern coast. As the insurgent troops filed in to occupy the city, it was apparent that the remaining government army of 50,000 men was trapped in the hills southeast of the city in an area 15 miles square. Probably they were not even aware that Santander's "iron ring" had broken.

During the last of the twelve days of Franco's furious thrusts, the city's streets had run red with the blood of anarchists' victims, as thirst, hunger and terrorism crazed the populace. By the thousands, civilians were fleeing by sea—the only way—to France. Every available craft was put into service; hundreds even attempted a getaway in rowboats, canoes, dories and other small craft, some of them using improvised sails made from sheets.



National Topics Interpreted by William Bruckart  
 National Press Building Washington, D. C.

### Court Now Liberal

**WASHINGTON.**—The Supreme court of the United States has a new member, and to that extent, President Roosevelt has succeeded in reorganizing the highest court in the land. With the nomination by the President of Sen. Hugo L. Black, Alabama Democrat, and confirmation of that nomination by the senate, we find a Supreme court that stands for liberal interpretations of the Constitution by a vote of six to three on most questions.

While it is important, of course, to know that Senator Black, the new justice, is nearly 100 per cent New Dealer, it is much more important to the country as a whole to think of Mr. Black hereafter as being fully aware of the reasons why he was selected to the lifetime job at \$20,000 per year. It is likewise important to remember the reasons why Mr. Black was selected when one examines the so-called balance of power in the Supreme court.

It seems to me that Mr. Black will enter upon his duties next October under one of the gravest handicaps that ever was set upon the shoulders of a Supreme court justice. Because of this handicap, and because of the reasons lying back of his appointment, I greatly fear that Senator Black can never be a great member of a great tribunal.

In the first instance, his record in the senate, covering a period of ten years, has demonstrated to most everyone that he has a keen mind, but the fact remains, and I think it cannot be disputed, the new justice lacks the poise which always has been an attribute of outstanding judges. I hope he has the qualities that will enable him to grow and become a good justice from the legal standpoint; I hope this for the sake of the country as a whole and for the sake of the judicial structure of our government. But after observing him as an independent writer over the last ten years I think I would be unfair to those who read these lines if I did not characterize Mr. Black's as a decidedly mediocre appointment.

Again, the fact that nearly all Washington observers and a very great number of officials do not expect much legal wisdom from the new justice is traceable more to the conditions under which Mr. Black received the honor than to Mr. Black himself.

Let us examine the reasons that lie back of Mr. Roosevelt's selection of Mr. Black. In this case, as in the case of many lesser appointments, the motives, the politics, the underlying objectives have not been stressed anywhere. In order to understand the situation, it is necessary to review several years of history on one line and it is likewise necessary to examine various incidents marking Mr. Black's career in the senate. Out of this maze of detail, certain significant and more or less definite conclusions appear.

Along the one side of the examination we find Senator Black consistently supporting President Roosevelt's New Deal programs wherever and whenever he found them. We note as well intolerance on his part for those persons and those arguments running counter to New Deal policies. Thirdly, we cannot overlook various senate investigations conducted by Senator Black for we know that in most of these he was carrying out orders from the White House. That is, Senator Black was engaged in expeditions of smear, of muckraking, and in needless exposure by way of senate investigations, in order that if there were flashbacks someone other than the President would be in the white light of criticism.

Casting aside many of the assaults on Mr. Black's personal record, and turning to the other phase of the situation that culminated in his selection for the court, it must be plain to anyone knowing all the facts that President Roosevelt had a definite purpose in selecting the Alabamian. This phase also requires a bit of review.

### Court Split Party

**WHEN** the President suddenly demanded that congress reorganize the Supreme court and make provision for the appointment of six new justices of his own choosing, he created an enormous split in the Democratic party. He alienated many sections of the South and at the same time provided many old-line southern Democrats with ammunition which they could use to justify their positions in opposing Mr. Roosevelt on many other phases of legislation.

I do not mean to say that all of the southern Democrats turned against the President because that is untrue. There were possibly a half dozen senators from the South and an equal proportion of representatives who are sticking by the President and will continue to support him. That fact, however, does not alleviate the condition. Senator Black was among those

who stayed with the President through thick and thin. He never was an exceedingly popular man among his colleagues. Add to this the capacity of using harsh language in the extreme and one finds that he was not the most popular choice among the senators for the job to which he has been elevated. From various quarters, therefore, I have heard observations to the effect that Mr. Roosevelt appointed Senator Black with full knowledge of the facts I have related. He could and did slap at some members of his own party for failing to go along with him on the court packing plan and some other New Deal legislation like the wages and hours program. He showed certain groups and cliques in the senate and house that he is boss.

Then, in selecting a man from the deep South undoubtedly the President figured it would be influential in pulling back to him some of the support which he certainly has lost among local politicians in the southern states. Views of this test of political strategy differ greatly, but whether he gains or whether he loses on that score, there certainly is ground for belief that the reasons were as I have given them.

There is also another reason for the appointment of Mr. Black. Of course, everyone realized that Mr. Roosevelt would name a man of New Deal leaning. Moreover, everyone recognized that it would be strictly a personal appointment as far as the President was concerned. So the stage was set for appointment of a man of more or less radical tendencies—but no one expected the choice that was made.

Now, the senate long has operated almost as a high class group. Every senator considers his colleagues with great deference and respect. This is senatorial courtesy. Does it not seem quite reasonable then, to consider that Mr. Roosevelt went into the senate to pick a new justice with the full realization that the nomination would be debated in gentlemanly fashion; that senatorial courtesy would tone down the barbs and the darts and the personal attacks that would probably obtain if the name of a private citizen were submitted? I cannot know the President's mind, obviously, yet I have heard these conclusions stated so many times that they cannot be wholly disregarded. New Dealers consider the appointment clever from the standpoint of senate debate, and those opposed to the New Deal called it a smart trick. So there is very little disagreement.

### May Solidify Court

**THE** conditions under which Mr. Black enters the court. I think examination of them is vital.

They are important for the reasons I have set down and they are important from another standpoint. It is pure conjecture, of course, but I am going to mention the possibility that Senator Black's entry into the court membership may possibly create resentment among the other justices. Each of them will certainly know about all of the various undercurrents, the gossip, and the more or less obvious facts involved in the appointment.

I have been wondering then whether the other members of the court, even liberal members like Justices Stone, Brandeis, and Cardozo, may not feel that Mr. Roosevelt has subjected them to undignified terms. I mean by that, is there not a possibility of them feeling that the President is seeking to gain decisions along his own line of reasoning rather than on the basis of justice and law?

As I said, this is pure conjecture. Nevertheless, I think it will be agreed that it is a logical thought, because the Supreme court justices, after all, are just as human as you and anyone else.

Carrying this thought a little further, what will be the effect upon the old conservative members of the court like Justices McReynolds and Butler and Sutherland? Will they regard the Black appointment as a direct thrust at them personally? If they do, it seems to me the logical result would be to make them more conservative than they now are.

I do not mean to imply dishonesty or unfairness to any member of the court. I know some of them personally and I respect every one of them. I merely call attention to these things as among the possible results in the appointment of a man to the Supreme court who may have been not the worst appointment possible but surely, all conditions considered, it was far from the best.

Politically, the Black appointment is likely to enter into the 1938 congressional elections. There seems no way by which the matter can be avoided as an issue. It is only through those elections of senators and representatives that the people can express themselves, and nearly everyone agrees now that the name of Justice Black will enter into numerous state and district political battles.