WHO'S NEWS THIS WEEK

By LEMUEL F. PARTON

NEW YORK.—This writer, encountering Frederick Jagel of the Metropolitan Opera at luncheon the other day, quizzed him about his season at Buenos Aires, from which he recently returned. He thinks cultural penetration of South America might be more effective than our trade and diplomatic missions, in which he is inclined to believe we aren't getting anywhere.

Operatic Star Suggests New Line of Export

South America has long had the idea that we were a nation of hard-boiled money-grubbers. Any creditable performance in the arts, he believes, will be our best line of export. He said he found the Argentines most generous and appreciative hosts. Once they find you haven't an extra ace in your cuff and you measure up to their standard of propriety, they wear their hearts on their sleeve.

Incidentally, Mr. Jagel's singing makes audiences weep, but no one meeting him ever feels sorry for him. He is a businesslike, compact Brooklynite, formerly an actuary with the Mutual Life Insurance company, long before he took his perch in the old red plush aviary, where, on occasion, he still hits high C.

As an actuary, young Mr Jagel, charting other careers, began to think of his own career. He tossed his insurance job out of the window, found a backer, sang in movie houses up and down Broadway and proved to all and sundry that he had a voice. He studied with Portanova in New York and with Caladini in Milan. Making his operatic debut in Milan, in "La Boheme," he hit Rodolfo's high C with a bull's eye that greatly improved Italo-American relations. He sang for four seasons in Italy, before making his New York debut as Radames, on November 8, 1927. He knows about 40 roles, and 26 of them he can sing offhand and on the slightest provocation.

With the precision and clarity of a man trained in business, he tells you of the superiority of our South American competitors in their specialty of quid-pro-quo trade economics. Hence, his talk of "cultural penetration" isn't just ivory tower stuff. If Secretary Hull could sing as well as Mr. Jagel can talk international trade, he, too, would be in the Metropolitan.

Mr. Jagel thinks we have the making of a grand musical renaissance in this country, with talent, teachers and a fine national appreciation vastly enhanced by the radio.

THE amiable white magic of John Mulholland once enabled me to deal myself four aces against another's four kings, which, of course, revived faltering hopes of the existence of kindly elves with whom Mr. Mulholland was wired in and whom he could summon in behalf of his friends. But now one of the cleverest magicians in the country—the cleverest, to this none-too-seeing eye—publishes a book, "Beware Familiar Spirits," in which he banishes all trolls and makes all magic just manual dexterity and technique. It isn't exactly a debunking book. He leaves the door open for faith in the occult, if you think you have evidence, but, as to prevailing mystagoguery, he reduces it to fraud or to honest self-deception, aided by slow eyesight.

Mystifier Says Mystagoguery Just 'Ain't So'

He sold school books and was a teacher of dramatics and industrial arts at Columbia university, before he became a full-time magician and vice president of Society of American Magicians. He has performed and lectured in about 40 countries.

Nobody, anywhere, ever had more fun. He likes to shepherd four or five friends through a subway turnstile, with one nickel, making it reissue from the slot each time and click through the next man. That brings the change dealer roaring from his den. Mr. Mulholland hands him a half-dollar, the wayfarers take their train, and then the dealer finds he has an aluminum disk with a rabbit in a silk hat on it. He usually screams and butts his head against the wall. But, in each case, the subway already has its full count of sound nickels.

As to the above poker hands, it happened at a luncheon table of five or six men. Mr. Mulholland sent for a new deck of cards and asked me to shuffle them and deal four hands. It couldn't have been a trained deck. It was thoroughly shuffled. Mr. Mulholland never touched the cards, standing with his back turned a few feet away, and never said a word. The hands fell as he ordered, the orders apparently issuing silently from the back of his head.

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'Dutch' Form of 'Deutsch'

The word "Dutch" is simply an English form of "Deutsch" and related words of the Germanic tongues. It was formerly applied to all peoples of Germanic stock or language, and it is only in comparatively late usage that its application has been more or less restricted to Hollanders. The "Pennsylvania Dutch" who play so important a part in the life and history of that state, and of the nation, are almost entirely of German and German-Swiss descent.

First Written Constitution Was Framed in America 300 Years Ago

On January 14, 1639, Representatives from Three Connecticut Towns Assembled at Hartford And There Adopted the "Fundamental Orders" That Provided a Model for the Federal Constitution Under Which the United States Is Now Governed.

By ELMO SCOTT WATSON

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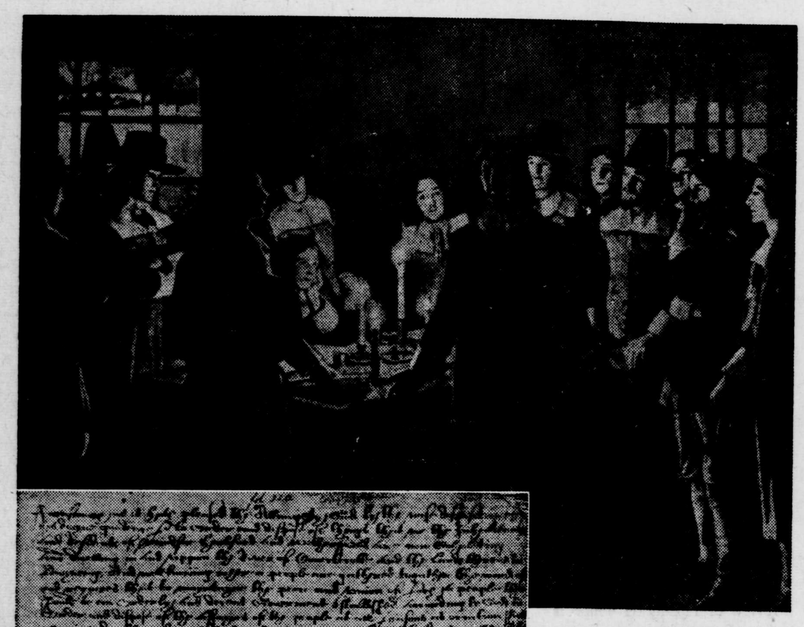
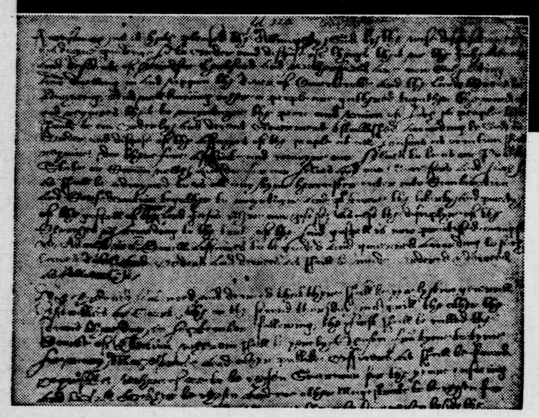


Adoption of the "Fundamental Orders of Connecticut, January 14, 1639"—(From the mural painting by Albert Herter in the Connecticut Supreme court, Hartford). The figure seated at the desk is supposed to be Roger Ludlow; the speaker, facing forward, is Reverend Thomas Hooker; and the one standing, facing Hooker and holding his hat, is John Haynes, who was chosen first governor of Connecticut under the "Orders."



Preamble of the "Fundamental Orders of Connecticut."

THREE hundred years ago this month a little group of English colonists in America gathered together and adopted, for the first time in the history of the world, a written constitution, springing from the people and creating a government for them. It contained no reference to a "dread sovereign" or a "beloved king"—it quietly assumed that the people had a right to rule themselves.

It provided for a legislative assembly, called the General Court, whose members were elected by the people, while the executive and judicial functions of the government were exercised by a governor and six magistrates, or assistants, also forming part of the General Court and elected by the people. Such was the "Fundamental Orders of Connecticut," adopted at Hartford on January 14, 1639.

Under it, according to one historian, "Connecticut was as absolutely a state in 1639 as it was in 1776" and it formed the basis of the charter of 1662 which remained in force until 1818. But more important than that is the fact that it served as the basis for the federal Constitution which a new nation, the United States of America, would adopt 140-odd years later.

For, as another historian points out, "it will be noticed that this original Constitution of Connecticut had certain similarities to the present Constitution of the United States, inasmuch as the individuality of the town was recognized on the one hand and the main body of the people on the other, as in our national system both the states and the whole people are represented. It is an interesting fact that in the federal convention of 1787 the compromise in accordance with which our national arrangement was agreed upon was called the 'Connecticut compromise.'"

First Settlement.

For an understanding of this historic document, it is necessary to go back a few years in New England history. In 1630 the Plymouth company had granted the Connecticut country to the Earl of Warwick, who turned it over to Lord Say and Sele, Lord Brooke and others.

In 1635 John Winthrop, son of the Massachusetts governor, acting for the proprietors of Connecticut, established a colony near the mouth of the Connecticut river and named it Saybrook in their honor. A few years later another settlement was founded at New Haven. Meanwhile, however, emigrants from the older towns of Massachusetts Bay colony began swarming into the northern part of what is now Connecticut.

Their migration was mainly due to their dissatisfaction with the hard rule of the united church and state in Massachusetts. One man, particularly, who dissented from this rule was Rev. Thomas Hooker. "Herein of ye fame of Conightecute River, they had a hankering mind after it" says a contemporary chronicler. So in 1636 Hooker and a congregation of more than 100 set forth for the Connecticut valley, arrived at the site of Hartford and there made their settlement.

Within a year the new colony of Connecticut had more than 800 people gathered in the three towns of Windsor, Hartford and Wethersfield. Although nominally under the control of Massachusetts, it soon became evident that the people of Connecticut had "a hankering mind" after a government of their own.

Trained for Law.

One of the colonists of Windsor was a lawyer named Roger Ludlow, born in Wiltshire in 1590, educated at Balliol college, Oxford, and admitted to the Inner Temple in London in 1612. Having become a stockholder in the Massachusetts Bay company in 1630, he was appointed an assistant to Gov. John Winthrop. In March of that year he sailed for New England.

Ludlow took a leading part in founding Dorchester where he held several offices such as land commissioner and justice of the peace. In 1634 he was elected deputy governor and disappointed at not being chosen governor, he resolved to leave the colony and go to Connecticut. As one of the prominent settlers of Windsor he was placed at the head of a commission to make laws for the "well-ordering" of that town. In March, 1636, when Hartford, Windsor and Wethersfield were set apart as a colony he was made head of the provisional government to serve for a year.

He presided at the first court of magistrates which convened in Hartford in March, 1636, and in the same year was elected deputy governor and was re-elected several times. Upon the reorganization of the government in May, 1637, he was chosen a magistrate and in 1638 was regularly elected as governor.

By the beginning of 1639, it was generally recognized that Connecticut was definitely out from under the control of Massachusetts and "on her own." So the colonists began thinking of organizing a more permanent form of government. The result was the drafting of the "Fundamental Orders" which was adopted at the historic meeting in Hartford on January 14 of that year.

"It has been customary to ascribe the general character and content of the Orders to Reverend Thomas Hooker of Hartford who preached before the General Court on May 31, 1638, a memorable sermon on the text, Deuteronomy 1:13, which is presumed to have presaged the Orders," says George M. Dutcher in the introduction to a pamphlet on "The Fundamental Orders of Connecticut," published for the Connecticut Tercentenary commission by the Yale University Press in 1934, "The legal phrasing of the Orders on the other hand indicates the work of one trained not in divinity but in law. So far as is known the one individual at that time resident in the three Connecticut river towns who possessed such training was Roger Ludlow of Windsor, to whom it may be presumed that the actual authorship of the Orders should be credited. To what extent Hooker and Ludlow may have conferred and co-operated, and what contribution if any was made from other sources can only be pure surmise."

Since the settlers of Connecticut called upon Roger Ludlow to write their constitution for them, it would have been only just that they should have elected him the first governor to rule the colony under it. But they didn't. They passed him by and elected John Haynes, Ludlow's "evil genius," to use his own words.

Disappointed Again.

Bitterly disappointed over this, Ludlow, accompanied by several of his friends and their families, moved to Unquon which was renamed Fairfield. Then, as a crowning indignity, he was forced to apologize to the assembly for "undue haste" in taking up lands there.

In 1646 the assembly requested him to frame a body of laws for Connecticut and, by adding 14 articles from the Massachusetts "Body of Liberties" to 63 that were new, he produced what is still known as "Ludlow's Code" and what has given him the title of "Father of Connecticut Jurisprudence." In 1648, 1651 and 1653 Ludlow was a commissioner to the congress or council of the United Colonies and held various other offices of responsibility and trust.

However, his impetuous nature repeatedly led him into trouble with the authorities and finally, declaring that he would no longer live in Connecticut, he sold out his interests and sailed with his family to visit his brother in Virginia. A short time later he removed to Ireland where Oliver Cromwell entrusted to him the administration of justice and the determining of claims to forfeited lands in the county of Cork. His career came to an end sometime before 1668—the exact date of his death being unknown.

Although the phrasing of the "Orders" indicates that it was the work of a man trained in the law, as Roger Ludlow was, the preamble was probably the work of Reverend Thomas Hooker. It said:

"Forasmuch as it hath pleased the Allmighty God by the wise disposition of his divine providence so to Order and dispose of things that we the Inhabitants and Residents of Windsor, Hartford and Wethersfield are now Cohabiting and dwelling in and uppon the River of Conecttecotte and the Lands thereunto adjoining, And well knowing where a people are gathered togather the word of god requires that to mayntayne the peace and Union of such a people there should be an Orderly and decent Government established according to God to Order and dispose of the affayres of the people at all seasons as occasion shall require. Doe therefore associate and conjoine ourselves to be as one Publike State or Comon welth, and doe for ourselves and our Successors and such as shall be adjoined to us at any time hereafter enter into Combination and Confederation together to mayntayne and preserve the liberty and purity of the gospell of our lord Jesus which we now profess, as also the discipline of the Churches which according to the truth of the said gospell is now practiced amongst us, As also in our Civil affaires to be guided and governed according to such lawes Rules Orders and decrees as shall be made Ordered and decreed as followth:"

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Not only was the world's first written constitution produced in Connecticut by a lawyer but the Nutmeg state also claims the distinction of having had the first law school in America. A few years ago a house on South street in Litchfield, Conn., and a little building adjacent to it were established as a permanent memorial to Judge Tapping Reeve, the founder of the school, and Judge James Gould, who later helped to conduct it.

Tapping Reeve, a graduate of the College of New Jersey (Princeton) in the class of 1763, settled in Litchfield in 1772, began the practice and teaching of law, and built a home. Judge Reeve conducted the law school

JOHN HAYNES
First governor of Connecticut under the "Orders."

not in his own home but in a small building which he had placed in his front yard, to the left of the entrance gate and the house itself. He used this building as his law office because, even before he formally established the school, so many students came to "read law" with him that it was more convenient to have a separate building. In 1784, when the law school was founded, it was this building that housed the first classes.

In 1798 Mr. Reeve, then a judge, was joined by James Gould, a graduate of Yale in the class of 1791, and they conducted the school together until 1820, when Judge Reeve retired.

One of Judge Reeve's earliest pupils was his brother-in-law, Aaron Burr. John C. Calhoun was one of five future cabinet members who received their legal education at Litchfield. Many senators, "members of congress galore" and judges "by the dozen" also were trained there. In addition there were some who later made their reputations outside the law, among them the educator, Horace Mann.

The Litchfield law school is said to have played an important part in the interpretation of law in the young republic until the school passed out of existence, when the establishment of law schools in connection with the colleges made private institutions no longer necessary.

The original law school building has undergone many vicissitudes since it was first established as such in 1784. It continued to be used for classes until the school was closed in 1833. In 1846 it was moved bodily through the streets of Litchfield, from South street to West Hill, to be used as the resident of Henry Ward, a printer and poet.

Forty years later new owners made such large additions that the original structure became almost unrecognizable. In 1906, however, a descendant of a graduate of the school restored it to its original state, and, in 1911, it was taken over by the Litchfield Historical and Antiquarian society.

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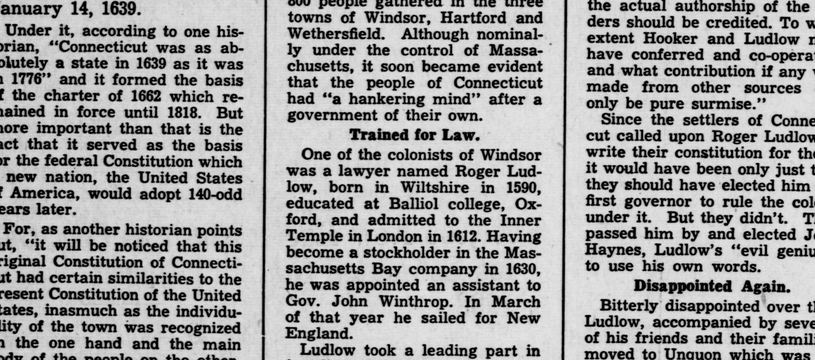
Another of Connecticut's "historic firsts" is the first permanent school in the United States for the instruction of the deaf. In 1815 Thomas H. Gallaudet was sent to Europe to study their methods of teaching the deaf.

In 1816 a charter was granted by the legislature of Connecticut and $5,000 was appropriated for the school at Hartford, which was probably the first appropriation of public money for education not in regular schools. On April 15, 1817, the new school was opened.



Nature Aided In Settlement Of America

Earliest Migrants Drove Towards Coast or Followed Interior Valleys

Prepared by National Geographic Society, Washington, D. C.—WNU Service.

Like most major discoveries, the finding of America by its first settlers took place in easy stages. Shortly after the retreat of the last great ice sheet, some venturesome Asiatic wanderer, a prehistoric Columbus of name unknown, crossed the narrow strip of sea between East Cape, Siberia, and Alaska.

The crossing at that time could have been made on the ice, but it might also have been accomplished in skin boats or canoes, a feat not infrequently performed by Eskimos of today.

Game was abundant. The early hunters found most of the familiar animals we now know in America, and they also encountered creatures long since extinct.

In Colorado, New Mexico, and Nevada, ingeniously flaked stone knives and projectile points have been found with the bones of these animals, and with those of a large, now extinct variety of bison.

The Americas were not populated by descendants of these first discoverers. It is likely that through many centuries Asiatic people, responding to population pressure from the south and west, found this natural route into the American continent, just as successive streams of European immigration later penetrated inland from the Atlantic seaboard.

Archeological evidence indicates that most of these migrants did not linger long in the far north but pushed southward along the coasts in their canoes, or followed the interior valleys.

So completely did they establish themselves that, when the Europeans arrived, the two continents, and practically all of the adjacent islands as well, were occupied from the Arctic coast to the extremity of Teirra del Fuego.

Nature Aids Indians.

From the fur-clad Eskimo of the frozen Arctic coast, living in his ingenious snow house, to the naked savage of the steaming tropical jungle of the Amazon basin, with his equally suitable palm-thatched home, the descendants of these first American immigrants demonstrated their adaptability in countless ways.

Thus the wandering bands of primitive Shoshoni, living in the parched deserts of the Great Basin, found food in the sparse and spiny plants of the region. They knew the location of the scattered springs and how to capture edible grasshoppers and fly larvae from the lakes.

Among these simple bands, the only recognizable social unit was the family group.

While these and other primitive groups were wresting a bare existence, the great civilization of the Maya developed and flourished for 1,500 years on the mountainous highlands of Guatemala, the tropical lowlands of the Motagua river, and among the thorny scrub of Yucatan.

The equally great Inca culture of ancient Peru arose on the arid desert of the Pacific coast and in the bare highlands of the Andes.

The Aztecs, shortly before the coming of the Spaniards, had succeeded in building up a mighty military nation in the temperate Valley of Mexico.

Wherever the early white explorers went, they found diversity in culture, adaptability to environment.

This variation is illustrated most strikingly by languages. North of Mexico alone, at the time of the conquest, there were more than 50 unrelated linguistic stocks, and 700 distinct dialects. These dialects differed from one another as English differs from German or French, and the linguistic stocks have nothing in common in vocabulary or grammatical structure.

It is evident, therefore, that numerous peoples of different origin had been isolated for long periods.

Since phonetic writing was never developed in the New world, there was no means of stabilizing and holding together a language for any considerable time.

Vocabularies Are Complete.

All these native American languages were capable of expressing thought and subtle shades of meaning. Their vocabularies were as complete as the experience of the speakers permitted, and the grammatical structure intricate and systematic.

The principal linguistic stocks north of Mexico are the Eskimauan, which includes the entire Arctic coast from Alaska to Greenland; Athapascan, which includes Alaska and most of the interior of Canada west of Hudson bay, and reappears in Arizona, New Mexico, and western Texas; Algonquin, which stretches across southern Canada from the Rocky mountains to the Atlantic, thrusting south of the Great Lakes to Tennessee; the Iroquoian, which includes the valley of the St. Lawrence river and the regions around Lake Erie and Lake Ontario, south to northern Georgia.

The Shoshonean stock includes the Great Basin region and northern Texas; the Siouan takes in most of the Great Plains and parts of the Carolinas and Virginia.

The Mudkhogean stock covers most of the states of Mississippi, Alabama, Georgia, and Florida.

There are many lesser stocks dotted here and there on the map of North America, the region of the Pacific coast being astonishingly diverse in this respect. The groups above mentioned, however, cover the large bulk of the area north of Mexico.

The varieties in physical type among the Indians were not so great nor so striking as the cultural differences.

All American Indians can be classified generally as belonging to the Mongoloid stock, to which the people of eastern Asia also belong.

The principal differences are in physiognomy, head form, and stature. The Indians of the eastern United States and of the Great Plains area were usually tall and stalwart in build, frequently exhibiting the aquiline nose which we so commonly associate with the typical Indian face. Indians of this type also prevail in western and southern South America.

Southern Indians Shorter.

On the other hand, the Indians of Mexico, Central America, and the Amazon basin were considerably shorter in stature and darker in complexion, with broad and flatter noses.

Because most tribes were fond of painting themselves with red ocher or red vegetable paints, they were called "redskins" by the early travelers, and this fact led to the erroneous idea that the skin of the Indian is naturally red, or copper colored.

Ethnologists estimate the total population of this area at approximately 1,150,000. Of this number 846,000 were within the limits of the present United States, 220,000 were in Canada, 72,000 in Alaska, and 10,000 in Greenland.

Norse Describe Indians.

After these enterprising people had discovered America, populated it, and developed their interesting and diverse cultures, it remained for the Europeans to discover the Indians.

When Norsemen visited the New England coast during the first two decades of the Eleventh century, their all too brief descriptions of the savages, or "skraellings," indicate that the latter were an Algonquin people whose customs changed but little during the next few centuries.

They were clad in skin clothing, armed with bows and arrows, and used stone axes. They navigated the rivers in birchbark canoes and eagerly traded their furs for strips of red flannels to bind about their heads. They expressed keen surprise at the iron tools of the Vikings and were terror-stricken at the bellow of Thorfinn's bull, brought over for breeding.

The Norsemen also described "self-sown wheat fields," but it is impossible to say whether these were fields of cultivated maize or of wild rice.

Chester Yellowhair, Navajo Indian youth, is typical of today's Arizona Indian. In the face of generations of pressure to abandon his Indianship the Indian is coming back.

The Indian of today does not live the nomadic life of his forebears. Here a group of Santa Clara Pueblo Indians are making pottery at the doorstep of their home in New Mexico. The Indian population, according to government survey, is the most rapidly growing group in the country.