

## *A New Supreme Court Judge*

Senator Hugo L. Black's appointment will bring to the Supreme Court bench a man whose gifts have so far been displayed more in advocacy, often going to extreme partisan lengths, than in dispassionate effort to reconcile conflicting interests or points of view. His activities in recent years, as chairman of the air mail contracts inquiry committee, as a supporter of the original plan to render the judiciary subservient to the executive branch of the federal establishment, as co-author of the disturbing first draft of the wage-and-hour bill and otherwise, have offered no suggestion that his is the "judicial mind."

Manifestly there is a real and wide distinction between the work of a legislator and that of a judge. The legislative and judicial functions are different in kind. Other men, moving from the former to the latter field, have seen the distinction and governed themselves accordingly.

Senator Black may do just that. Until there is reason to think otherwise, it must be supposed that he will.