MEN AND AFFAIRS AT WASHINGTON

★ National Topics Interpreted by WILLIAM BRUCKART ★

Washington.—More perhaps than ever before in our country's history, the courts of the nation, federal and state, are in a jam. They are being subjected to a greater strain than ever before and, I think, the strain is too great for them long to continue to bear it.

The President and the Court

That sentence sounds sensational. It is meant to be. In the opinion of many sound thinkers, men and women of vision, there has never been a time when a wave or surge has attacked the courts or any other American institution with such ferocity.

One of the reasons the situation is to be regarded with so much concern is President Roosevelt's latest request of congress for a reorganization of the judiciary system. He is asking for more judges everywhere which, of itself, seems entirely proper, but the message astounded observers by proposing an increase in the membership of the Supreme court of the United States to fifteen. That is to say that if it were enacted into law, Mr. Roosevelt's own proposal would give him authority to select six additional justices of the highest tribunal. Inasmuch as the present membership of the court has refused a number of times to hold New Deal legislation valid under the Constitution, it takes no stretch of the imagination at all to figure out that Mr. Roosevelt's proposal would give him authority to select a sufficient number of new justices so that the New Deal would hold the balance of power in the highest court of the judiciary of the country.

There may be and probably is merit in the President's proposal that judges should retire at seventy years of age. It happens that the present membership of the court includes six men who are above that age and a statute compelling retirement at seventy would make six added vacancies in the court unless the present court should find that this law itself is unconstitutional in one regard. The judges are appointed for life and they cannot be removed without cause — which means they must be impeached by congress and tried.

The message respecting reorganization of the judiciary system was by far the most sensational to come from Mr. Roosevelt as President. He pointed out in it that he had proposed reorganization of the executive branch of the government so that it might function more efficiently. The next step, he said, was to reorganize the judiciary so that it could administer justice more speedily. But there are many minds throughout the country which find it difficult to believe that the necessity for speedy justice is the fundamental reason for the new proposal.

It is too early to tell, of course, how congress will act on the President's suggestion, but the more astute observers here are quite convinced that such legislation cannot go through without a bitter debate. The political implications are many. If a real struggle develops in the house or the senate, it is not outside the range of a good guess to predict that it could split the tremendous Democratic majority asunder in either house. If it did that once, undoubtedly enmities and factions would be created that would continue through the remainder of the President's new term and only the passage of time can disclose how far reaching such a thing might be.

• • •

Congress Criticizes

Much of the problem that is swirling around the courts of the land results from the position which congress has chosen to take. There are a goodly number of representatives and senators who, swayed by the vocal minority mentioned earlier, have voiced bitter criticisms of the judiciary and have even proposed that its freedom be curbed. They are doing this because they see the Supreme court deciding every now and then that some ill-thought-out piece of legislation should be tossed out of the window. A good many of these congressional shouters have only a slight understanding of the babble that they put out on the floors of the house and senate, but the fact remains they are a part of the congress and hence their words are received with some consideration among those who want to believe the same way.

On the other hand, there are men like Senator Borah of Idaho, who foresee real trouble for all of us if the powers of the courts are curbed. Senator Borah thinks the question of the freedom of the judiciary is a paramount issue and lately has made a powerful appeal that if the people want to make changes in their government, the people ought to do it and not the President and the congress.

The Idaho senator makes the point that only through a judiciary unfettered by politics, free to operate as it sees the law, can the people of the country retain their freedom. If judicial independence goes, liberty goes. So, it seems to me that congress, which just now is the spearhead of the movement to change the power of the courts, ought to recognize its own responsibility.

I said earlier that the courts could not continue long to bear the present burden of attack. That burden which they carry now results largely—and this is especially true of the Supreme court of the United States—from the fact that congress has ceased to be a deliberative body. It has tossed great chunks of undigested legislation at the courts and when the courts have held these laws unconstitutional, a bunch of nitwits each time has unleashed a great howl. It would seem then that the proper conclusion is that the nine old men are not older nor any less enlightened than the members of congress or the executive branches of the government but that especially congress is failing to do its job. It is attempting to read election returns into the judiciary. It seems to me it ought to be remembered by members of congress and officials of the executive branch of the government that each and every one of them has taken an oath as an official of this government to preserve, protect and defend the Constitution and in so doing they must defend the courts.

• • •

Laughs Are Loud Today

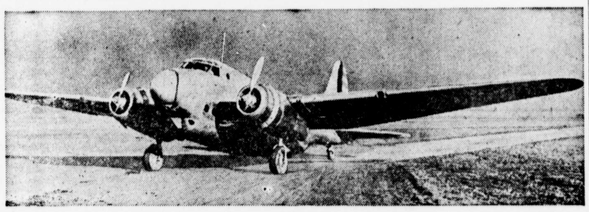
In any discussion of congress and its activities, I find time to do a little laughing. Through the last several weeks, a period when floods were raging and people were dying, when thousands upon thousands walked the streets without jobs, when other thousands walked the streets because a militant labor leader had called a strike and had permitted his strikers to violate laws of the land by seizure of property—while all of these things were happening, our congress was giving thought to a picayune proposition. It was discussing a bill providing for alterations of the Capitol building, itself.

The tragedy of this particular thing is that it has a very good chance of being enacted into law before the end of this session. It is proposed to spend four or five million dollars to extend and reconstruct the central portion of the Capitol along lines that would make the three east wings extend the same distance from the main building. It would enlarge the central portion and provide more office space when, as far as any observers can see, there is ample space for all of the offices required now or for the next half century.

As for the office space argument, it would appear that somebody in congress is quite determined simply to spend some more money. It is to be remembered that only two years ago, the house of representatives built a second office building at a cost of $9,000,000 for its members. About the same time, the senate added a wing to the senate office building so that each senator could have three rooms whereas heretofore the average senator had only two rooms in his suite. Committee chairmen always have had three or more rooms. In addition, there are several hundred offices in the Capitol building itself and a goodly number of senators and representatives have private offices in the Capitol as well as in the office buildings. So altogether, I think there is just ground for saying, as one hears said frequently, that the congresses of the last few years much resemble boys who have received too many toys in one delivery. They don't know what to do with themselves.

© Western Newspaper Union.

"Dragon" Is the World's Deadliest Bomber



"The Dragon," ten-man giant bomber, built in secret at Inglewood City, by the North American Aviation company, is shown ready for its first test flight. It is declared by its designers to be the "most formidable ship of its type in the world." Following competition in army trials next March, the twin-engined monoplane may become standard military equipment.

Uncle Phil Says:

Judging Self

To judge and examine one's self is a labor full of profit.

The vein of gold in many a man is seldom taken for a yellow streak even by the dullest.

To make better men it is necessary to begin with the children. That's what McGuffey's Readers did.

LUDEN'S
MENTHOL COUGH DROPS 5¢
HELP BALANCE YOUR
ALKALINE RESERVE
WHEN YOU HAVE A COLD!

READ THE ADS

PLEASE ACCEPT
THIS *Magnificent*
4-PIECE SILVER SET

for only 25c complete with your purchase of one can of B. T. Babbitt's Nationally Known Brand of Lye

This lovely pure silver-plated Set—knife, fork, soup spoon and teaspoon in aristocratic Empire design is offered solely to get you to try the pure brands of lye with 100 uses, shown at right. Use lye for cleaning clogged and frozen drain pipes, for making finer soap, for sweetening swill, etc. You'll use no other Lye once you've tried one of these brands.

How to Get Your Silver Set

To get your 4-piece Silver Set, merely send the band from any can of Lye shown at right, with 25c (to cover handling, mailing, etc.) with your name and address to B. T. Babbitt, Inc., Dept. WN, 886 Fourth Ave., New York City, N. Y. Your Set will reach you promptly, postage paid. You'll thank us for the Set and for introducing these brands of Lye to you.

OFFER GOOD WITH ANY BRAND SHOWN BELOW

Babbitt Red Seal Banner Red Devil Star

TEAR OUT THIS ADVERTISEMENT AS A REMINDER

"Mary, darling! Hop in—we'll grow old together!"

GO FARTHER
BEFORE YOU NEED A QUART

These crisp, cold days are fine for driving if you have the right oil in your crankcase. Use Quaker State Winter Oil which meets the three requirements for care-free driving... easy starting... constant lubrication ...long life. Its stamina is assured by the *"extra quart of lubrication in every gallon."* That's why you go much farther before you need to add a quart. Quaker State Oil Refining Corporation, Oil City, Pa.

Retail price... 35¢ per Quart