

CURRENT EVENTS IN REVIEW

By Edward W. Pickard

AAA Is Killed by Decision of the Supreme Court

SIX justices of the United States Supreme court, including Chief Justice Hughes, joined in an opinion that killed the Agricultural Adjustment act. Three associate justices, Stone, Brandeis and Cardozo, dissented. The majority decision, read by Associate Justice Owen J. Roberts, held that the AAA was wholly unconstitutional because it invaded the rights of the states in seeking to control farm production. The whole system of processing taxes imposed to finance the program was swept into disarray.



Chief Justice Hughes

Not only are the processing taxes illegal but the court apparently declared the farm benefit contracts void and put up bars against any attempt of the federal government to regulate farm production by whatever means. Senators and representatives who immediately began planning legislation to continue benefit payments to farmers and to balance agricultural output did not seem to grasp the full significance of this part of the decision. The court said flatly that regulation of farm production is not within the scope of the federal government and of its powers to accomplish this, nor can it purchase adherence to a control scheme by federal payments.

The decision destroyed not only the original AAA but also the amended act of the last session of congress.

The dissenting opinion held that the AAA was a legitimate employment of the power to tax for the general welfare. It attacked the theory that the preservation of our institutions is the exclusive concern of the Supreme court and suggested that under the majority decision the unemployment work relief act is unconstitutional.

President Roosevelt, Secretary of Agriculture Wallace and other administration leaders had no immediate comment on the decision to make public, but the President called Attorney General Cummings and Mr. Wallace in conference. The administration and congress must do something to raise nearly half a billion dollars which the government has contracted to pay farmers and against which it now has no income, since the processing impost is outlawed. Disposition of about \$200,000,000 accumulated under court orders that impounded processing tax collections must be determined.

AAA Administrator Chester Davis stopped all payments to farmers "until further notice," and the Treasury department ordered all collectors of internal revenue to desist from further efforts to collect processing taxes.

In his budget message President Roosevelt included revenue from processing taxes, so the Supreme court decision had the effect of throwing the 1937 budget still further out of balance by something like a billion dollars.

President's Message Is a Defiance of Opponents

SURROUNDED by klieg lights, microphones and movie cameras, President Roosevelt stood before the senate and house in night joint session and delivered what was nominally his annual message to the state of the nation. Actually it was not that at all, but a statement concerning the warfare and international disturbances on the other continents, followed by what the press generally considered an eloquent and militant political speech addressed to the people of the United States, who by the millions were listening in on their radios. Partisan opinion of his message is perhaps worthless. Of course his supporters praised it highly, and his opponents were equally emphatic in derogation.

Democrats and Republicans alike commended the President's opening paragraphs in which he boldly condemned the aggression of Italy and Japan, though without naming those nations; and there was little dissent from his assertion that the United States must maintain its neutrality while seeking to "discourage the use of belligerent nations of any and all American products calculated to facilitate the prosecution of a war in quantities over and above our normal exports to them in time of peace."

The remainder of the message, devoted to domestic affairs, was devoted chiefly to a belligerently worded defense of the New Deal measures of the administration, an attack on those who oppose them and a spirited passage in which Mr. Roosevelt defied and dared his critics to move for the repeal of those measures instead of "hiding their dissent in a cowardly cloak of generality." In only two paragraphs did the President dwell on "the state of the nation." In these he said that after nearly three years of the New Deal national income is

increasing, agriculture and industry are "returning to full activity," and "we approach a balance of the national budget." That last statement was greeted with mocking laughter from the Republican side of the chamber, and though the Democrats cheered loudly, Mr. Roosevelt himself smiled at his words.

One passage in the message was interpreted by some as a threat to close the lower courts to suits attacking the constitutionality of federal laws. The President told congress that its enactments require "protection until final adjudication by the highest tribunal," and added that congress "has the right and can find the means to protect its own prerogatives."

Altogether, the spectacle in the house chamber was extraordinary and unparalleled. All the senators and representatives were there, the latter being remarkably noisy. Eight members of the cabinet attended, and in the galleries sat Mrs. Roosevelt, the wives of cabinet members, diplomats and enough other privileged persons to fill the seats completely. Vice President Garner and Speaker Byrns jointly presided over the session.

The President's message was denounced by the American Liberty League as "the most dangerous speech that ever came from a President," and by Former President Herbert Hoover as a message of "war on earth and ill will among men."

Senator Joseph T. Robinson, Democratic leader, struck back at the President's critics in a statement declaring that if the President had recited the Ten Commandments he would have been accused of having ulterior motives. He repeated the challenge of the President to his critics to repeal New Deal legislation.

Secretary of Labor Perkins Praises Year's Doings

SECRETARY of Labor Frances Perkins found in the developments of the last year much of benefit for the American workingman. In her annual report she cited these five great advances for labor:

1. Unemployment compensation, accomplished through the social security act.
2. Old-age security, brought about also by the social security act.
3. Establishment of boards for settling industrial disputes locally.
4. Greater co-operation between the states and the Labor department, through regional conferences.
5. Development of the United States employment service.

Even the large number of strikes during 1935 could be viewed with some satisfaction by her, for she said they were "due in part to the natural expectation of labor to share in the early fruits of business improvement."

For the future Miss Perkins envisioned a minimum wage law, a short work week of perhaps 40 hours, compensation insurance, and strict regulation of machinery to prevent industrial accidents.

Budget Message Shows Billion Dollar Deficit IN HIS message to congress submitting his approved budget for the 1937 fiscal year, beginning July 1 next, President Roosevelt followed the double system of accounting his administration has always employed—one set of books for regular expenditures and income and another set for emergency spending and appropriations. He asserted that receipts from all sources in the next fiscal year will aggregate an estimated \$5,654,000,000. Expenditures for all regular government departments are estimated at \$5,649,000,000. So the "regular" budget will be in balance, with a surplus of \$5,000,000.

But the message went on to say, after explaining that the regular government books will show fiscal affairs in the black, as to income and outgo, they will show red to the extent of \$1,103,000,000 in works-relief spending, less the \$5,000,000 "surplus," this leaving the new appropriation for further works-relief open for at least two months.

That figure of \$1,103,000,000 represents the President's estimate of unexpended balances on July 1 from the \$4,880,000,000 and previous emergency appropriations. It does not take into account probable new appropriations for similar purposes yet to be determined.

Guffey Coal Act Again Is Declared Invalid

ONCE more the Guffey coal act has been declared unconstitutional, this time by Federal Judge John P. Barnes of Chicago. He granted to a local coal company a temporary injunction to restrain federal officials from collecting a portion of the taxes imposed under the law.

Lindberghs Are Quietly Living in Wales

CLOSELY guarded by police, Col. and Mrs. Charles A. Lindbergh and their son, Jon, are now established at Llandaff, Wales, in the home of J. Llewellyn Morgan, kinsman by marriage of Mrs. Lindbergh. They had traveled by automobile from Liverpool, where they landed, and elaborate precautions were taken to protect them en route.

It was reported in Madrid that negotiations had been started on behalf of Colonel Lindbergh for the purchase of a small estate near Girona, bordering on Spain's famous "Costa Brava" on the Mediterranean. It has also been rumored that the Lindberghs intend to return to the United States in a few months. The colonel himself is completely reticent about his plans.

What Ickes Thinks of Critics of New Deal

HAROLD L. ICKES, in his capacity of administrator of the PWA, went to Brooklyn to take part in the ceremony of breaking ground for the \$12,783,000 Williamsburg slum clearance project, and took the opportunity to speak very harshly about those who oppose the New Deal, dubbing them "the coupon clipping gentry," "the Lord Plusbottoms of the club windows," and "reactionists" who "about that enlightened progress is unconstitutional."

Harold L. Ickes

"The slum is but one vicious product of that older order whose passing, we hope, is at hand," Mr. Ickes said. "I refer to the old order of special privilege, the creator and upholder of a social system containing vicious contrasts of opulence and squalor that have shamed the democracy of our own times. Its day in America is facing the western sun, but the harsh cracklings of its senile prophets are still heard in opposition to every progressive proposal; predicting disaster for every humanitarian attempt to ameliorate the lot of the least fortunate of our people."

"There are those who take an almost sadistic delight in dashing the hopes of our underprivileged citizens by ill-advisedly proclaiming that the public housing program of PWA is a failure. The facts prove the contrary. Somewhere a housing program had to be started. The federal government took the initiative.

"We have 47 active projects on our demonstration program, all under construction. Eleven thousand persons are already enjoying the splendid modern accommodations of limited dividend housing projects financed by PWA, and the first federal developments will be occupied early in the spring."

Great Britain Sending More Men to Africa

JUST before Foreign Secretary Anthony Eden goes to Geneva to attend the January 20 meeting of the League of Nations council, the British government will decide on its proposals for extension of the sanctions against Italy to include oil, coal, iron and steel. But the cabinet is not waiting for this to prepare for eventualities. It has suddenly decided to strengthen greatly its armed forces in Africa and has taken over several liners for the Mediterranean troop transport service. The Scythia already has sailed with troops and guns, probably for Alexandria, Egypt, and others are to follow soon.

Haile Selassie Protests Use of Poison Gas

FROM his field headquarters in Dessye Emperor Haile Selassie sent to the League of Nations a vigorous protest against the war methods of the invading Italians. The emperor charged specifically that Italian flyers, in raining explosives on the southern army of his son-in-law, Ras Desta Demtu, near Dolo, used poison gas and destroyed a Swedish Red Cross ambulance laden with sick and wounded.

A special meeting of the Swedish Red Cross was held in Stockholm to take action in this matter. The Italian government in Rome asserted the aerial bombardment was fully justified by the alleged beheading of two Italian aviators by the Ethiopians after the flyers had crashed at Daggab Bur in Ogaden. The communique also said it was well known that "Ethiopian chiefs take shelter under Red Cross signs when they see Italian airplanes."

New Tax Levies That Are Now in Effect

NEW tax levies of more than \$350,000,000 a year went into effect on New Year's day, these being the result of delayed tax rates passed at the last session of congress. The heaviest is from the unemployment insurance and old age pensions act, which is expected to raise about \$240,000,000 in taxes on industrial payrolls. Other new taxes include:

- Raising of individual returns, \$50,000,000.
- Corporation tax boost, \$40,000,000.
- Gift tax increase, \$25,000,000.
- Intercorporate tax levy, \$30,000,000.

Twelve Lost in Crash of British Air Liner

TWELVE persons, nine of them passengers, perished when the Imperial Airways liner City of Khartoum crashed in the Mediterranean off Alexandria, Egypt. The only survivor was Pilot Vernon G. Wilson, who was taken from the water in a critical condition. Among the victims was one American, James C. Luke of Philadelphia, an oil engineer.

Washington Digest

National Topics Interpreted By WILLIAM BRUCKART



Washington.—President Roosevelt has told congress that he wants it to finish its labors and adjourn in short order. He has figured that about three months ought to give the members sufficient time to mull over the problems that confront them and that they should return to their several homes. But the President is doomed to disappointment if he sincerely believes that he can get congress out of the Capital by the end of March. The best guess right now is that the congress will be in session at least four months and, it is well within the range of possibilities that it will remain in session almost to the time of the national conventions.

Expect Long Session

There are a number of factors that make realization of the President's early adjournment wish impossible of realization. Probably the most influential of these is the fact that this is a campaign year. Every member of the house and one-third of the senate, along with Mr. Roosevelt himself, are affected by the election date and politics must have its turn. Every four years this same condition obtains and every four years politicians do about the same things in furtherance of their own political interests. The bulk of the legislation to be considered has its political tinge. Politics even creep into the annual appropriation bills—and usually the result is a swelling of the totals in order that some gears of individual political machines may be oiled just a bit for smooth running in the campaign.

Congress May Stall

While the appropriation bills are important from a political standpoint, their weight in this session of congress sinks rather below par because there are such things as the bonus for the World War veterans, the Townsend old age pension plan, various New Deal reform measures and such replacement legislation as may be necessary since the Supreme court kicked over New Deal propositions like the Agricultural Adjustment act with its processing taxes and sundry other schemes. However the Roosevelt leaders in congress may desire to act, the machinery of legislation can be run only so fast in an election year.

Seek Publicity

One of the chief reasons why a congressional session in an election year drags on longer than usual is because of the publicity value the sessions have for individual representatives and senators. Members of congress discovered a hundred years ago that the chambers of the house and senate constituted splendid sounding boards for the dissemination of political views. There has been increasing use of this potentiality as the years have gone by until now the older members of the house and senate have become very adept in capitalizing on this factor. It takes no stretch of the imagination to discover that a senator or representative, speaking from the floor of his respective chamber, gets much more publicity than his opponent back home who talks only as a private citizen. It is perfectly natural, therefore, that those members seeking re-election want to take full advantage of the publicity vehicle available to them in Washington.

Waiting Decisions

The use of this publicity weapon is available to opponents of the New Deal as well as to its supporters. While the approaching election may be expected to knit the house Democrats more closely into a unified front for the November election, the same condition is not true in the senate. In that body, there are a number of old-line Democrats who do not like the New Deal and who are going to utilize every available opportunity to make their record as Democrats as complete as it is possible to do before they must speak to the home folks in person. It is obvious that such men as Senator Carter Glass, of Virginia, cannot desert the Democratic ticket and run for re-election independently. So it is to be expected that men of this type will establish for themselves a comprehensive outline of their political beliefs as Democrats while distinguishing their position from that known as the New Deal. They must look to the future when, according to all indications, they feel the party machinery will again be controlled by the Jeffersonian type of Democrat instead of by the reform type of Democrat headed by men and women with the New Deal outlook.

Two More Factors

An additional factor operating in the senate is the presence of two Republican Presidential possibilities in the persons of Senator William E. Borah of Idaho and Arthur H. Vandenberg of Michigan. Senator Borah is actively seeking pledged delegates to the Republican national convention. Senator Vandenberg says he is not a candidate, but the well-known bee is buzzing around and there are many observers who think that Senator Vandenberg is hoping that, in case of a convention stalemate, the assembled delegates may riot and turn to him as the nominee.

Such a condition means, as it has meant before, that these two men will

desire to see all of the political issues aired in congressional debates. It is only natural and logical as well that the Republican minority in the house and senate will seek to foment as much debate as possible in order to obtain a record of what the majority party thinks or proposes to do if returned to power.

In all respects, the session will be the most political, therefore, since Mr. Roosevelt took office. His Presidential message on the state of the Union already is being kicked back and forth and picked to pieces in the preliminary campaign gunfire. There is simply no way by which this situation can be avoided. The opening of congress was the opening of the 1936 campaign.

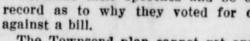
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