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"No Favor Sway Us; No Fear Shall Awe"
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CHARLES A. SPRAGUE Editor-Manager
SHELDON F. SACKETT Managing-Editor
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Three TVA Opinions

THE three opinions in the TVA case are interesting. Chief Justice Hughes wrote the opinion which prevailed; Justice Brandeis wrote an opinion concurring with the Hughes conclusion but asserting the case should have been thrown out for lack of jurisdiction; Justice McReynolds concurred with Hughes in the propriety of the court's taking jurisdiction but denied the constitutionality of the TVA proceedings. In this comment we do not discuss the argument of the three learned justices, but other phases of the opinions.

The narrowest view (as to the question involved) was that taken by Brandeis, with Stone, Roberts and Cardozo joining him. That view was that the preferred stockholders of the Alabama Power company had no right to come into court against the directors and the common stockholders and attack the deal made by the directors in selling transmission lines to TVA. It was distinctly a legalistic opinion, consisting chiefly of citations from previous decisions. Naturally there is scant room for literary style in such an opinion.

The Hughes opinion is broader, though not much. It holds (with the customary citations from preceding decisions to support the view) that the preferred stockholders have a right to sue where they think the directors have failed to protect their interests "in yielding, without appropriate resistance, to governmental demands which are without warrant of law or are in violation of constitutional restrictions." But on the issue Justice Hughes set sharp limits: "We limit our decisions to the case before us, as we have defined it." While his argument is clear and his logic convincing his style is rather labored.

In his single dissenting opinion Justice McReynolds, whose home was in Tennessee, takes into consideration not merely the TVA-Alabama Power company contract, but the literature of TVA with its expansive plans for remaining the Tennessee valley. He says he finds no serious difficulty in granting the power of the United States to dispose of surplus electricity "honestly developed in connection with permissible improvement of navigable waters"; but as he views the record it "leaves no room for reasonable doubt that the primary purpose was to put the federal government into the business of distributing and selling electric power throughout certain large districts, to expel the power companies which had long serviced them, and to control the market therein." To prove the purpose of TVA he quotes from its own reports: "no less a goal than the electrification of America."

When he throws open the question in its broad implications there is room for some forceful writing, and while his dissent is not so brilliantly chiseled as were the lone opinions of the late Mr. Justice Holmes, McReynolds does write with a refreshing lucidity.

The middle-of-the-road view as to jurisdiction represented in the Hughes opinion is presumably correct (it had a majority in its favor, which settles the matter); but the broad issue defined by Justice McReynolds remains unsettled. How far can congress authorize TVA and kindred agencies to go with the objective "no less a goal than the electrification of America?"

Dark Politics in Washington

THOSE who think that civic virtue was so regenerated in 1933 that the powers of darkness have been put to flight, are altogether too trusting. In the atmosphere of change and upset the need was greater for the manipulator, the fixer, the lobbyist, the wire-puller. This gets proof in the letter written by the Washington representative of the Boeing Aircraft corporation to the president of the Aeronautical chamber of commerce, explaining that Max Gardner, former democratic-national committeeman from North Carolina, had been retained on account of his political influence. The letter reads:

"Max Gardner, special counsel employed shortly after the cancellation of air mail contracts, was paid \$75,000. This year he will remain for \$25,000, which item is included in the budget. Personally I feel that Gardner can be of more help during this session of Congress, in order to get proper air mail legislation, than he has been to the industry during the past 10 or 11 months.

"He came into the picture after the damage had been done. He is a politician of the first water and my observations tell me that in this administration, in order to get things done, resort simply has to be made to the use of politics.

"Therefore, Gardner, as counsel for the chamber, I feel, will be more valuable during the present session of Congress than he has been since the cancellation of air mail contracts last February."

While Gardner charges high for his services, and there is nothing to prove the use of methods particularly heinous, the comment of the author reveals the true color of affairs in Washington, even under this administration: "my observations tell me that in this administration, in order to get things done, resort simply has to be made to the use of politics." The word "politics" may cover a wide area. In the case of Mr. Gardner he made it spread to \$100,000 worth.

With all the money to distribute, all the jobs to give out, all the contracts to grant the administration has provided a field day for the lawyers and lobbyists with real or reputed political influence. For them, at least, the depression is over.

Ten Principles

CONFUCIUS outlined the following "ten principles of political development": 1, Ching Tien, or distribution of social wealth; 2, attention to technical invention; 3, eugenics, meaning here the choice of mothers; 4, benevolent government; 5, criminal justice; 6, Li, which seems to mean a type of balance or moderation; 7, music, including under that term art, poetry, rhythm, appreciation of beauty of nature, recreation; 8, religion, familial and divine; 9, education; 10, faith in progress.

The ten principles are still vital, particularly the first—"distribution of social wealth."

Many folk who are keen for new schemes to circulate other people's money through the method of taxation do not realize that they help to bear the burden. The cost of the present adventure into vast deficits is being borne by the masses to a greater degree than is realized. The processing taxes were 30 per cent sales taxes on the very necessities of life. The proportion of federal taxes raised by indirect taxation has risen from 27.5 per cent to 66 per cent in 1934 and 61.5 per cent in 1935. In the higher cost of living is buried the increased burden. It is there; it is felt; it is not identified. Add a dose of inflation and the poor are robbed of the abundant life which has been a glittering phrase to them.

Senator Borah devoted most of his initial speech as a candidate to scolding Great Britain. He is distinguished Idahoan tearing a lead out of the political guide-book of ex-mayor William Hale Thompson of Chicago, who won office on his platform of punching King George on the snoot?

The Oregon City Enterprise says there's a limit to FWA patience on Oregon's getting started with its capital program. Offhand, we'd say the inside limit is November 3.

Plenty of candidates announcing themselves with declarations that they support the Townsend plan; but what has become of the crop of two years ago that endorsed the new deal?

Some wonderment is expressed because Walter Johnson could throw a dollar across the Rappahannock river. It would be remembered however that it was only a 60-cent dollar.

The Great Game of Politics

By FRANK R. KENT
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Things That Breed Fear

Washington, Feb. 24

WHEN politicians fall out, begin to charge, counter charge, assert, accuse, alibi and deny, it is a pretty sound rule not to believe either side. If either were wholly truthful it wouldn't be politics and they wouldn't be politicians.

THESE reflections are induced by the recent controversy between the "League of Tammany" and Mr. James A. Farley, the great name caller, over the ex-Mayor of New York, James J. Walker. The Tammany authorities publicly advised that Mr. Farley had requested them to send "Jimmie" as a delegate to the Democratic convention where the Roosevelt management wanted to use him to "wise crack" at Alfred E. Smith, if and when that anti-Roosevelt Democrat takes his much-advertised walk. This request, the Tammany leaders declared, they had rejected. On behalf of Mr. Farley it was denied that any such request had been made.

IT IS an interesting controversy. Back in 1932, Mr. Walker's resignation was forced after a sensational hearing before Mr. Roosevelt, then Governor of New York. The "Play Boy" Mayor, badly discredited and bitterly angry, went abroad. His feeling toward Mr. Roosevelt was one of intense hostility. Mr. Roosevelt profited politically by the Walker incident because he conducted the inquiry with great skill, dignity and fairness. But the friends of Mr. Walker did not think so. They felt he had been "sacrificed," and when the Government initiated an investigation into his income tax, he became practically an exile. His stay on the other side was regarded as indefinite.

BUT NOT long ago return he did. It was widely stated that the internal revenue case against him had been dropped. High Tammany officials were quoted a few days ago as saying that his declaration in favor of Mr. Roosevelt "is part of his gratitude to the Administration for not pressing the investigation into his income tax." This is also denied on behalf of Mr. Farley. It cannot, of course, be proved that the Administration has "let up" on Mr. Walker. The Treasury Department may just have discovered its suspicions were altogether unfounded. And it cannot be proved that Mr. Walker is now for Mr. Roosevelt out of "gratitude." He may just realize that Mr. Roosevelt at that Albany hearing could have done nothing else and his hat have changed to love. However, it is impossible to keep low-minded people from thinking there was a certain amount of undercover fixing. The Tammany men who rejected Mr. Farley's request not only think it but openly voice the thought.

PERHAPS the abandonment of the Walker investigation so short a time ahead of his home-coming flop for Mr. Roosevelt was just a coincidence like that of the publicity given the suit alleging that Mr. Raskob, and Mr. Du Pont were a pair of conspirators, just ahead of Mr. Smith's Liberty League speech. However, these coincidences are sufficiently striking to have a considerable effect coupled with other little things, they are responsible for the idea which has percolated rather generally in business and banking circles that it is "unwise" to get "in bad" with the administration.

NO matter how meticulously honest a man may be, the point is made that the Internal Revenue Department, if it desires, can cause him an immense amount of costly trouble. The power to punish is there, even when not used. Not many want to take the risk. Accordingly, somewhat the same sort of disposition is being evinced by business men and bankers, strongly hostile to the New Deal, noted in certain Democratic Senators, equally hostile. They are against it. They feel it vital to them and to the country that it should be defeated. But, individually, they would rather not be too conspicuous in the fight at the moment. Their fear is easy to understand.

THOSE suits against the Messrs. Mellon, Raskob, Du Pont and others may have been entirely free from any trace of the punitive spirit. And the Tammany people may be all wrong about the reason the Walker investigation was dropped. It may all be very meritorious, indeed. None the less, it is impossible not to note that the cases being pressed invariably appear to be against men active as leaders in the anti-New Deal fight, while the one not pressed affects a politician who declares himself in line. In brief, these coincidences breed a species of fear of the Government heretofore unknown. It isn't a pretty thing to contemplate.

Answers to Health Queries

E. M. Q.—Can adenoids and tonsils cause eczema?
A.—Any underlying infection may be a disturbing element. For full particulars restate your question and send a stamped, self-addressed envelope.

A. N. Q.—What can be done for excess acid in the stomach? 2: Will a properly-fitted support relieve a fallen stomach?
A.—Proper diet should help to overcome the trouble. For full particulars restate your question and send a stamped, self-addressed envelope. 2: A properly-fitted support will give increased comfort. For full particulars restate your question and send a stamped, self-addressed envelope.

Dr. Copeland is glad to answer inquiries from readers who send addressed stamped envelopes with their questions. All inquiries should be addressed to him in care of this newspaper.
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West Stayton Pupils Make Fine Record in County Spelling Test

WEST STAYTON, Feb. 24—In the county wide spelling test given by County Superintendent Mary L. Fulkerson, the West Stayton pupils of the sixth, seventh, and eighth grades ranked first in the three room group.

The seventh grade is exceptionally proud of its standing, as this grade was first in the county wide test given in October of this school year as well as C. D. Chorponey is principal of the West Stayton school and teacher of these three grades.

Bits for Breakfast

By R. J. HENDRICKS

Dr. McAfee was one of founders of medical department of Willamette:

(Concluding from Sunday.) The Bits man has before him a biographical sketch of Dr. W. A. Cusick, one of three members of the first graduating class from the medical department of Willamette university—the sketch being in the Chapman book, published in Chicago. It reads in part:

"In 1860 he matriculated in Bethel college, in Bethel, Polk county, Oregon. In 1864, having determined to make the practice of medicine his life work, he began studying under the direction of Dr. McAfee of Salem, with whom he remained for two years, and then entered the Toland Medical college at San Francisco, the course of which he completed in 1867. He then became a member of the first class in the medical department of Willamette university, being graduated in the fall of 1867."

The Bits man thinks it should have read, "being graduated in June, 1867," not the fall of 1867. Dr. Cusick, as all Oregon old timers know, was a prominent and successful pioneer physician. He commenced practicing at old Wacunda, and continued at Gervais, when the railroad put the overland stages out of business, and near all of old Wacunda moved to the then boom town of Gervais. Then, for many years, in Salem.

The whole of the biographical sketch on Dr. Cusick would be interesting now, and it will appear in this column at a later date.

The 1871 Salem Directory shows that Dr. McAfee then had his office in the Griswold block (now Murphy block) southeast corner Commercial and State, and his home on Liberty between Marion and Union.

The 1874 Directory showed his office south side of State between High and Liberty, and his home northwest corner High and Trade.

The 1871 Directory, the first issued for Salem contained an article on Willamette university by Edmund J. Waller, who was a son of A. F. ("Father") Waller, for whom Waller hall was named—appropriately, for without his efforts the institution would not have had such a building, if, indeed, it had survived.

The normal, or average, blood pressure varies with age, sex, weight, occupation and the state of the general health. As a rule, the figure one hundred added to the patient's age will give some idea of what the blood pressure should be. For example, the average man of 40 years will have a blood pressure of about 140.

If it is found to be somewhere between 100 and 110 it is regarded as low. Yet it is probable that 20 per cent of the population have blood pressure below 110.

Various Causes

There are various causes for low pressure. The reasons for some cases cannot be determined. Usually it can be traced to some glandular disturbance, to a form of localized infection from disease of the teeth, nasal sinuses or adenoids. It may accompany stomach ulcer, tuberculosis or Addison's disease.

Sufferers from low blood pressure are usually lacking "pep" and energy. They are listless, complain of digestive disturbances, and are subject to colds and infections. Usually they have poor health and may complain of dizziness and fainting spells at frequent intervals.

Not every case of low blood pressure need be considered alarming. Indeed, many who have it are totally unaware of its presence because they enjoy good health. But if you have some physical disability and are subject to various complaints, it is my advice that you consult with your doctor.

Twenty Years Ago

February 25, 1916
Col. and Mrs. Theodore Roosevelt are on route to the United States from the British West Indies.

Rain does as much damage to the front line trenches in France as bombardment from heavy artillery, a dispatch from Paris states.

An editorial points out the "new" danger of poisoning from automobile exhaust fumes.

Ten Years Ago

February 25, 1926
Iowa is compiling a list of persons unfit for marriage which will be on file at all county clerk's offices. They will be denied licenses.

first term) in attendance was 20." (As noted heretofore, three graduated.)

Twenty-one students were in attendance, nine of whom graduated," wrote Mr. Waller of the second term, commencing on November 4, 1867. He wrote: "The attendance in the session of 1868-9 was 17, nine of whom graduated.

"Since then, in 1869-70, 14 attended the term, and seven graduated; and in 1870-1, by the presence of an epidemic of smallpox, the number was still further reduced.

"One feature of the last session was the admittance of females to the course of medical instruction."

The institution was a pioneer in that respect. It will not long since such a person as a woman doctor was never imagined.

Another paragraph in the Waller article: "We refer to the 27 graduates that we have thus far presented to the state as an evidence of the adaptiveness and success of our efforts."

In describing what is now known as Waller hall and was then called "the new university building," the cornerstone of which was laid July 20, 1864, and which was first occupied in 1867, Edmund Waller said:

"It is five stories in height (he said high and not height), including attic and basement, and is about two-thirds finished. The first floor contains the chapel, . . . and will comfortably seat about 600 persons. . . . The second floor contains four rooms, and is occupied by the preparatory, young ladies' and academic departments, the latter being under the supervision of two teachers.

The third floor contains six rooms—TWO BEING OCCUPIED BY THE MEDICAL DEPARTMENT, three by the societies connected with the school, the Hesperian, Aik and Young Ladies Literary Society, and one as the painting room."

He had said: "West of the chapel are the ladies' reception room, or parlors—the library, which contains between five and six hundred volumes; and the ladies' hall. East of the chapel are the gentlemen's reception room, at present used as a recitation room for the classical department, the apparatus room, and the gentlemen's hall."

The medical department of Willamette university was moved to Portland June 8, 1878. It was moved back to Salem in 1895, and in 1905 the brick building now known as Science hall was erected for its use with money subscribed for the most part by the people of Salem.

As indicated, it closed its doors in 1913; merged with the medical department of the University of Oregon, Portland.

Pauline B. Smith Called to Beyond

MONMOUTH, Feb. 24—Mrs. Pauline Blodgett Smith, 24, died this morning at the family home here following a long illness. She was born April 19, 1911, at Airlie, and had lived all her life in Polk county. She was married three years ago to Charles E. Smith, who survives.

Surviving also are her parents, Mr. and Mrs. Harry Blodgett, three sisters, Bernice, Mary and Helen, two brothers, Leo and Leonard, all of Monmouth.

Funeral arrangements are incomplete, but the services will be held at the Catholic church at Independence.

Lawrence Brown Takes Over Alfred's Business As Silverton Attorney

SILVERTON, Feb. 24—Attorney Lawrence Brown of Salem has taken over the law practice of Attorney Frank Alfred of Silverton, who with Mrs. Alfred left the last of the week for Heppner to make his home.

Ten Years Ago

February 25, 1926
Residents of South Salem will meet this week to discuss a location for the new junior high school.

A Speed Governor for This Car



"DAUGHTERS OF VENUS" By Robert Terry Shannon

alised there was a tension between Von Guerdon and O'Hara. Again she was assisted at the harmony prevailing among the heads of this astonishing institute.

"I don't know what you mean by that crack, Von Guerdon—and I don't care because I'm through here," O'Hara said. "I'm not an authority on medicine or surgery and neither is Madame Hubert or any of the manicure girls or hair-dressers. We've not had any of the advantages of Heidelberg—fortunately. But when you take a healthy woman like Mrs. Gottlieb in her early fifty's and send her to the grave because you trim up her jawline—well—"

"My dear O'Hara," he said coolly, "it's an established fact that three-

Even the noiseless elevators contrived to resemble the interior of jewel boxes.

Wherever possible, daylight had been rigidly excluded and substituted by a softened glow of amber and gold bulbs—a vague and flattering light, which, coupled with the subtle perfumes in the air and the soft carpets and the deference of all attendants, contrived to bless Madame Hubert's patrons with a sense of importance and the illusion that human beauty was indeed attainable within these magic walls.

Madame Hubert, discussing Juliet's employment, had fairly beamed with good will. In the matter of salary her generosity was surprising.

"I pay the best wages in the profession and I charge the highest prices," she explained. "My people are all the best, clients and employees both. O'Hara told you I was a miser, but that was only his irritation speaking. He gets a thumping good income and so will you if you prove worth it. Meanwhile I want you to inspect everything and find out what it is all about."

So Juliet's trim figure slipped in and out of diverse suits and departments, upstairs and down and an army of uniformed hostesses moving about with a procession of silver tea-trays, magazines and expensive cigarettes.

Juliet was, of course, familiar with beauty parlors but nothing so enormous and impressive as Madame Hubert's.

By noon, more than a hundred women were being creamed, waved, perished; women who could afford it and women who couldn't; brainy women and stupid women; young, middle-aged, and old women; debutantes, brides, widows, and sweethearts.

And, strangest of all, hordes of young and lovely women who had emerged from their morning baths triumphant with all of Nature's unimprovable beauty, flocked here in the firm faith that some mysterious art would improve upon perfection.

There were places, too, where the clientele never penetrated—book-keeping rooms, bottling and packing rooms, employees' rest rooms, labors and lacquered design. In the ordinary world of business no such offices exist; they are to be found only in motion picture sets and the fertile dreams of interior decorators.

But this intense flare of mode moderne applied not only to Juliet's office but to the whole institute.

(To Be Continued)