

# Steel Seizure Ruled Illegal

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President has no seizure power—as it did Monday—Truman said he would cross that bridge when he came to it.

Black's opinion declared: "The Constitution limits his the President's function in the law-making process to the recommending of laws he thinks wise and the vetoing of laws he thinks bad. And the Constitution is neither silent nor equivocal about who shall make laws which the President is to execute."

## Adopt 'Public Policies'

Black said the power of Congress to adopt "such public policies as those proclaimed by the President's order is beyond question." He went on:

"It can authorize the taking of private property for public use. "It can make laws regulating the relationships between employees and employers, prescribing rules designed to settle labor disputes and fixing wages and working conditions in certain fields of our economy."

"The Constitution did not subject this law-making power of Congress to presidential or military supervision or control."

"It is said that other presidents without congressional authority have taken possession of private business enterprises in order to settle labor disputes."

"But even if this be true, Congress has not thereby lost its exclusive constitutional authority to make laws necessary and proper to carry out the powers vested by the Constitution in the government of the United States, or any department or officer thereof."

"The founders of this nation entrusted the law making power to the Congress alone, in both good and bad times."

## 'The Hopes for Freedom'

"It would do no good to recall the historical events, the fears of power and the hopes for freedom that lay behind their choice. Such a review would but confirm our holding that this seizure order cannot stand."

"The judgment of the district court is affirmed."

That means the high tribunal's six-man majority agreed with the April 29 decision of Judge Pine that Truman's seizure was illegal and unconstitutional.

For the dissenters Chief Justice Vinson said courts may go behind a president's findings to see whether a real emergency exists. "But, Vinson wrote, "there is not the slightest basis for suggesting that the President's findings in this case can be undermined."

## 'Extraordinary Times'

Vinson said the minority felt compelled to register a dissent "because we cannot agree that affirmation is proper on any ground, and because of the transcending importance of the questions presented not only in this critical litigation but also to the powers the President (SIC) and of future presidents to act in time of crisis."

Vinson said, "those who suggest that this is a case involving extraordinary powers should be mindful that these are extraordinary times."

He then reviewed world tensions, citing that the United Nations was formed to take collective measures to maintain peace and security, and that the North Atlantic treaty binds each member nation to resist an armed attack against any member nation.

Vinson said, "our treaties represent not merely legal obligations but show congressional recognition that mutual security for the free world is the best security against the treat of aggression on a global scale."

## 'Peace Is Precarious'

Vinson cited the government's argument that peace is precarious and then reviewed the role of maximum steel production in the nation's defense program.

Solicitor General Philip B. Perlman, who argued the administration's case three weeks ago, sat in the courtroom Monday and listened to Black's condemnation of government seizure.

Perlman shook his head to indicate "no" when a reporter passed him a note asking for comment.

The new strike in the wake of the decision will confront Truman with the question of whether to invoke the Taft-Hartley labor law's emergency provisions for an 80-day court order against a strike or pitch the whole dispute to Congress for some other possible solution.

IF TRUMAN decides on Taft-Hartley, he first will have to appoint a fact-finding board and receive its report on the dispute before asking the courts to order the strikers back to work.

The court order would be good for 80 days.

After that the union would be free to strike again unless a settlement has been reached through collective bargaining or Congress steps in with a new law.

Every one of the 300 seats in the marble columned courtroom

was filled when the justices filed in promptly at the stroke of noon.

Not a sound could be heard for a moment until Black began reading his opinion. He read it slowly, calmly.

SEN. McCARRAN (D-Nev.), chairman of the Senate Judiciary Committee, occupied a second-row seat. He leaned forward to hear every word.

In his dissent, Vinson said the central fact of the case is "that the nation's entire basic steel production would have shut down completely if there had been no government seizure."

He said the steel companies did not even remotely suggest any basis for rejecting Truman's finding that any—and the Chief Justice italicized the word "any"—stoppage of steel production "would immediately place the nation in peril."

Vinson wrote: "At the time of the seizure there was not, and there is not now, the slightest evidence to justify the belief that any strike will be of short duration. The union and the steel companies may well engage in a lengthy struggle."

Vinson insisted the steel mills were seized for the public good and that "the power of eminent domain, invoked in this case, is an essential attribute of sovereignty and has long been recognized as a power of the federal government."

The theory of eminent domain is that the government may seize, condemn or take over private property in the public interest.

Douglas's concurring opinion said America pays "a price for our system of checks and balances, for the distribution of power among the three branches of government."

DOUGLAS THEN stated: "It is a price that today may seem exorbitant to many. Today a kindly president uses the seizure power to effect a wage increase and to keep the steel furnaces in production. Yet tomorrow another president might use the same power to prevent a wage increase, to curb trade unionists, to regiment labor as oppressively as industry thinks it has been regimented by this seizure."

Douglas also wrote: "Stalemates may occur when emergencies mount, and the nation suffers for lack of harmonious, reciprocal action between the White House and Capitol Hill. That is a risk inherent in our system of separation of powers."

JACKSON'S concurring opinion declared: "No doctrine that the court could promulgate would seem to me more sinister and alarming than that a President whose conduct of foreign affairs is so largely uncontrolled, and often even is unknown, can vastly enlarge his mastery over the internal affairs of the country by his own commitment of the nation's armed forces to some foreign venture."

# Downtown Fire Damages Hotel

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flames and mentioned wanting to save some property belonging to "an old lady" on the third floor.

He asked for a ladder. Chief Surfus told him to stay away. But when the chief turned his back, Bailey ran up a fire ladder and toppled 16 feet into the concrete alley. He was in fairly good condition Monday.

Three pump trucks, the ladder truck and a small "booster" truck were called to the scene.

Chief Surfus said Monday several persons will be questioned regarding the possibility of arson.

## Police Release Siletz Indian

BURNS, Ore. — (AP)—Lindsey John, 41, was released from custody Sunday, three days after he brought the body of his wife in to police here in a trailer.

John, a Siletz Indian from Toledo, Ore., told them his wife had jumped from his car after a quarrel as he drove through Wyoming.

He said she did not seem badly hurt at the time. He helped her back into the car, and the next day in Idaho he found her dead in the trailer bed, he told District Attorney Leland S. Duncan here.

He drove from Idaho into Oregon before he met relatives who persuaded him to turn himself over to authorities.

An autopsy disclosed that Mrs. John died of a bump on the head. John was heading with his wife and 6-year-old son for Toledo, after he was released from the Navy in Maryland.

He said also that vagrants may have been sleeping in the truck and started the fire accidentally, fleeing in fright without turning in an alarm.

## Fire Alarm Louder Now

A record number of sleepers were roused shortly after midnight Saturday by Eugene's general alarm fire signal.

The big blow was intended only to summon volunteer firemen to the St. Francis Hotel blaze. But it also resulted in the immediate jamming of every emergency telephone switchboard in town.

The siren not only prompted anxious calls to the fire station, police headquarters, radio stations—even hospitals—it attracted a swarm of spectators to the fire scene.

The thrill-seekers were of no particular help to firemen, either, Chief Ed Surfus said. One man was hurt when he fell from a ladder he had no business climbing. Others stood back a way and threw rocks through windows on the west side of the building.

Explaining the extra-loud wail of the general alarm, Surfus could only guess that a new type of control has added to the siren's lustiness. It's the same siren the city has been using for some time, except for that.

For those who confused the fire signal with a possible air raid alarm, Surfus pointed out Saturday night's siren sounded three times in quick succession. An air raid alarm would last for three minutes with constantly rising and falling tones.

# NEWS BRIEFS



CLOUDY AND MUGGY

U. S. Weather Bureau Forecast: Eugene and vicinity: partly cloudy Monday night and Tuesday. Western Oregon: Fair Monday and Monday night; cloudy Tuesday with occasional rain on coast and in northern interior Tuesday afternoon and evening.

Local Statistics: Highest temperature Sunday, 70; low Monday, 49; rain in 24 hours ending 10:30 a.m., none; total for month, none; normal for month, 1.14 inches; stage of river at 7:30 a.m., minus 1 foot; wind at 11:30 a.m., N10; prevailing Sunday, N8.

Sunrise and Sunset (PST): Tuesday, 4:31 a.m., and 7:49 p.m. Wednesday, 4:31 a.m. and 7:50 p.m.

MARINE MASTER Sergeant Sewell R. Lufkin of the Eugene recruiting office will be in Florence all day Tuesday to interview prospective enlistees. He will be at the post office from 10:30 a. m. till 2:30 p. m. (DST).

## Socialists Enter Presidential Race

CLEVELAND — (AP)—The Socialist Party's 28th national convention Sunday named Darlington Hoopes, 55, a Reading, Pa., attorney, as its candidate for President.

KENNETH H. SMITH, Jr., son of Mr. and Mrs. Kenneth H. Smith, 1092 W. 8th Ave., Eugene, is one of 73 students who will be awarded Associate in Arts degrees at the 23rd commencement of Menlo College, California, Friday afternoon. Smith won two football letters, served as student body secretary, and is a Blue Key Club member.

LOWELL HIGH SCHOOL Student Carol Moore is one of 17 Oregon high school students who will attend the annual convention of the National Assn. of Student Councils to be held at Evanston, Ill., from June 18 to 21. None of the other 16 students is from this area.

THE OREGON Trail central council of Scout Mothers' Clubs will meet at the Osburn Hotel at 2 p.m. Wednesday, June 4. All presidents are urged to come or send a representative.

SANTA CLARA Garden Club will hold its regular meeting Tuesday at 1:30 p.m. at the home of Mrs. Maclay, 1250 River Loop 1, Oakland Cemetery.

# Dexter Man's Car Recovered

Drain Police Chief C. F. and William Pankersley, Drain County deputy sheriff, retrieved a stolen auto Saturday morning.

They arrested at Drain two men, Pete Avalos, the other charged, was driving while intoxicated. Herbie Juan Garza, cited for being drunk in a pickup.

Later, much later, Joe M. ez of Dexter told state police Eugene his 1947 pickup had stolen.

The vehicles are one and same, officers said.

## Mrs. Linnie Cole

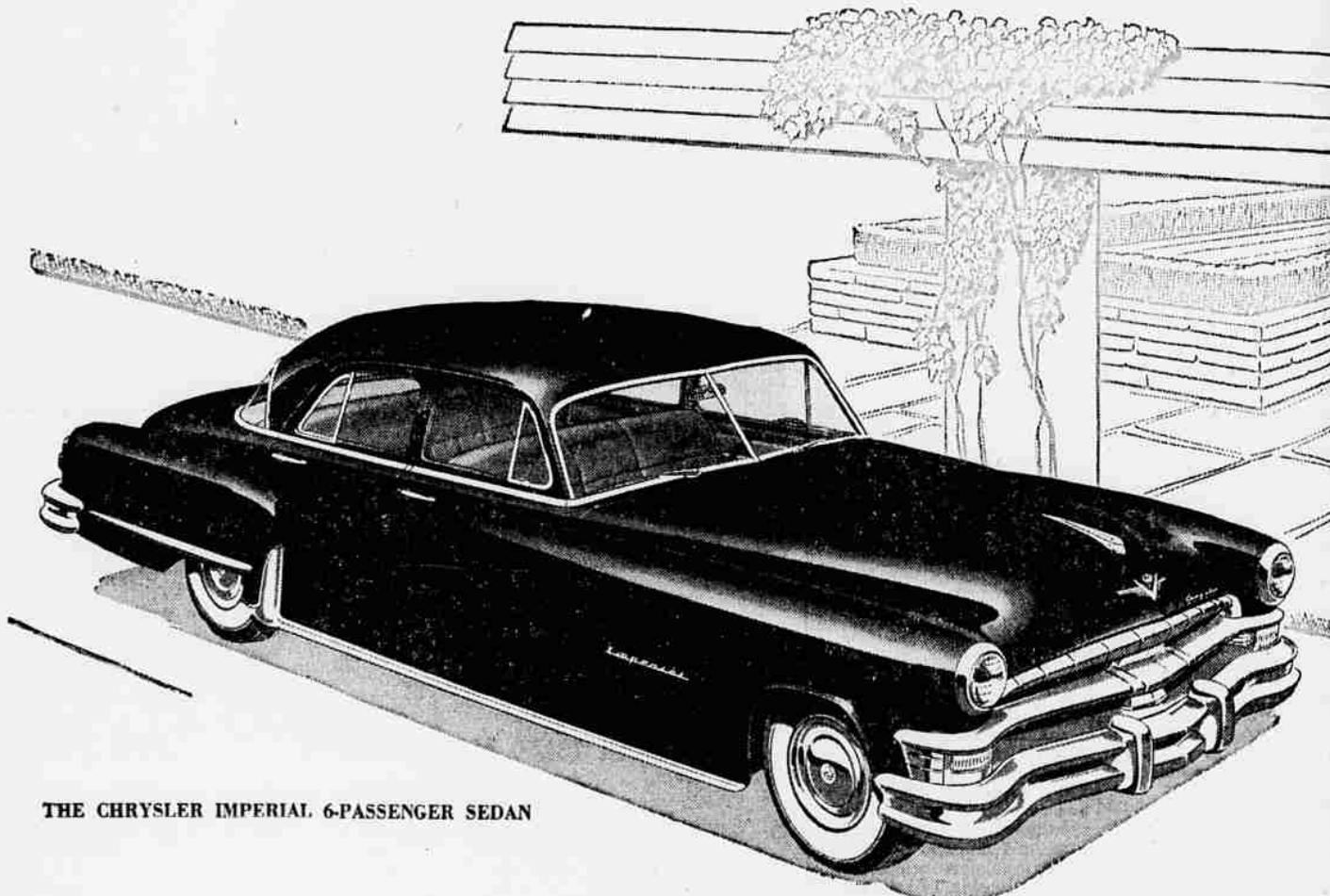
OAKLAND—Mrs. Linnie, formerly of Oakland, died, Salem sanitarium Saturday, 31. The body is being shipped the Stearns Mortuary in Oak for services Wednesday, 3 (PST), at the Oakland Church. Burial will be at Mrs. Maclay, 1250 River Loop 1, Oakland Cemetery.

# Good-Bye Corns

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May we invite you to sit on the most comfortable seat cushions, and enjoy the fullest window vision you can find?

May we invite you to ride on the rough-road miracle of the Oriflow shock absorbers which only Chrysler-built cars have? May we show you the Chrysler kind of push-button window lifts?

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| Hiawatha Bicycle<br>Monarch Bicycle<br><b>\$1495</b><br><b>\$1295</b>      | Coronado Gas Washer<br>2 Years Old ---<br><b>\$4500</b>    |
|                                                                            | Maytag Washer --- <b>\$35.00</b>                           |
|                                                                            | Wards Washer --- <b>\$30.00</b>                            |
|                                                                            | Wards, With Pump --- <b>\$30.00</b>                        |
|                                                                            | Wards Washer --- <b>\$25.00</b>                            |
|                                                                            | Easy Washer --- <b>\$35.00</b>                             |
|                                                                            | Wards Washer --- <b>\$29.95</b>                            |
|                                                                            | Coronado Washer --- <b>\$19.95</b>                         |

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