

RIGHTS OF STATES INVADED IS 6 TO 3 RULE OF JUSTICES

(Continued From Page One.)

collective position and whispered comments.

Speculation on F. R.'s Reaction
Speculation flared as to whether President Roosevelt might seek re-election on a platform of sweeping constitutional change.

Political observers agreed there would be considerable support in the farm belt for a constitutional amendment authorizing resumption of the flow of benefit checks.

Some suggested an effort might be made to swing this sentiment behind a broad amendment giving the government specific power over industry, as well as farming. But there was no immediate word of any kind from the White House.

The president's comment at the death of NRA, that it had taken the country back to "horse and buggy" days, and his more recent assurances that the farm program would go on in some form, were recalled at the capitol.

In his annual message Friday night he told the congress it was his first means to protect its prerogatives.

Issue Kept Alive

Since the Roosevelt "horse and buggy" comment, Mr. Roosevelt has been careful to refrain from discussing the possibilities of changing the constitution. Administration spokesmen have kept the issue constantly alive in speeches over the country, however, contending the people have a right to change the basic law whenever they wish.

If the farm aid legislation were valid, Roberts said, in the majority opinion, it would be possible for congress "to regulate industry in its most meticulous forms."

Speculation how the presidential campaign would be affected stirred instantly when the news reached the capitol. Legislators turned in private from the business of the moment, examination of the 1936-37 New Deal budget to mull over the possibilities.

Republican determination on farm plank alternatives long had been awaiting the supreme court attitude.

Wait New Deal Move

What the New Deal would do was awaited eagerly.

Secretary Wallace reserved comment.

It was indicated there would not be any immediately from the administration. Councils of war were called.

President Roosevelt learned of the turn but also had nothing to say.

Roberts said the farm plan was "not in essence voluntary."

"It had a compulsory purpose," he declared.

"If the act called only for a voluntary plan it would be no better."

Presumably, the government will seek to find a way to pay approximately \$500,000,000 due on contracts still unpaid.

Legal advisers have indicated belief there can be considered binding governmental obligations. It remains to be worked out, however.

Wallace Unmoved

Watched through a partially open door, Secretary Wallace did not change his expression as he glanced at the fateful message. Laid it aside and continued his discussion with a visitor.

Roberts said the AAA amendments enacted last August made no difference as congress could not ratify something it did not have the power to do originally.

"Congress might redistribute the entire industrial population if this act were upheld," he said seriously.

"The United States government could destroy local self government."

As soon as he finished Justice Stone read the dissenting opinion.

"The present stress of widely held and strongly expressed difference of opinion of the wisdom of the Agricultural Adjustment Act makes it important, in the interest of clear thinking and sound result," he said, "to emphasize at the outset certain propositions which should have controlling influence in determining the validity of the act."

"They are:

1. The power of courts to declare a statute unconstitutional is subject to two guiding principles of decision which ought never to be absent from judicial consciousness.

Power to Enact Is Issue

"One is that courts are concerned only with the power to enact statutes not with their wisdom.

"The other is that while unconstitutional exercise of power by the executive and legislative branches of the government is subject to judicial restraint, the only check upon our own exercise of power is our own sense of self-restraint.

"For the removal of unjust laws from the statute books appeal lies not to the courts but to the ballot and to the processes of democratic government.

"The constitutional power of congress to levy an excise tax upon the processing of agricultural products is not questioned."

The announced goal of the AAA had been to give farmers "parity" prices for their products.

Parity prices were considered those which would enable the farmers to buy now the amount of manufactured goods they could have bought with the cash their crops brought in on the average between 1909 and 1914.

Parity prices also were described as the "fair exchange value."

Gain In Parity Shown

A recent AAA compilation showed prices received by farmers for their products was averaging 80 per cent of parity. This was a gain of eight per cent over the same date in 1934.

The AAA attempted, it was said, to make benefit payments which, added to the farm values for crops, would give the farmers a parity price income for their labors.

Recently, only two types of tobacco and milk retailed directly by farmers

V. F. W. Post Is Launched



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INCOME TO EQUAL REGULAR SPENDING ROOSEVELT HOPES

(Continued From Page One.)

tion, if it survives the supreme court test.

4.—It announced transfer of the Civilian Conservation Corps and the Public Works program from the category of emergency agencies to that of regular activities of government.

5.—It warned congress that passage of the soldier bonus bill or any other measure draining funds from the treasury would require imposition of new taxes.

6.—It indicated a record national debt of \$31,351,000,000 at the end of 1937, not including the deficit created by any relief appropriation.

Credit Is High

Reviewing accomplishments of his 4 months in office, the president reported:

"That government credit is "at its highest."

"That federal finances are at their best condition in seven years."

"The private industrial employment has shown substantial increase."

"That no new taxes will be necessary under present new deal policies."

Mr. Roosevelt recommended:

1.—Repeal of last session's AAA amendment earmarking 30 percent of customs receipts to encourage export and consumption of farm products.

The amendment, estimated to appropriate up to \$100,000,000 from the treasury's general funds, violated sound administrative practice, the president said, and set undesirable precedent in earmarking revenue.

2.—Amendment of the potato control act, from which no appreciable

revenue was expected, so as to exempt the purchaser of bootleg potatoes from prosecution, and to increase individual tax exempt quotas from five to 50 bushels.

3.—Legislation to permit transfer of appropriations within any single department so as to achieve flexibility.

4.—A law bringing all agencies of the government, including government-owned and government-controlled corporations, under the authority of the director of the budget.

Work Relief Not Included

"To run all the regular activities of the government (in 1937) I will need a total of \$5,069,000,000," Mr. Roosevelt said.

"These regular activities include interest on the public debt, major public works, operations of the Civilian Conservation Corps, and agricultural benefit payments, but do not include strictly work relief items."

"I expect to pay for these regular activities with estimated receipts of \$5,654,000,000, leaving an excess of receipts of \$585,000,000. Out of this \$585,000,000 I will need \$500,000,000 for debt retirement, which will still leave \$85,000,000 of excess receipts over expenditures after having paid for all the regular expenditures of the government plus debt retirement."

"The item for relief remains. Without that item the budget is in balance. To make today a formal budget estimate of the amount necessary for work relief would be of necessity a difficult task. We have too recently reached our goal of putting three and one-half million people to work; and the beneficial effects from this program and from increasing expenditures on public works cannot be foretold as accurately today as it can two months from now. Furthermore, employment by private industry continues to show substantial gains over the figures of a year ago."

Work Relief Need Cut

"It is estimated in this budget that expenditures for recovery and relief out of unexpended balances of previous emergency appropriations will amount to \$1,103,000,000. Including

these expenditures the gross deficit for 1937, without an estimate for additional work relief, it is less than the gross deficit for 1936 by \$2,136,000,000. I do not anticipate that the need for additional relief funds will be as great as that sum."

For national defense the president asked congress to appropriate a total of \$995,000,000, an increase of approximately \$200,000,000 over last year's budget. He asked \$511,308,399 for the navy and \$443,699,305 for the war department.

Mr. Roosevelt's inclusion of the AAA and CCC among regular activities means that he believes the success of these undertakings justifies their permanent continuance.

He asked \$246,000,000 for the CCC from March 31, 1936, to March 31, 1937, and \$499,054,985 for the AAA for the entire 1937 fiscal year.

Of the estimated national debt at the end of the 1937 fiscal year Mr. Roosevelt said:

"It is estimated that the gross public debt on June 30, 1937, will amount to \$31,351,000,000, as compared with an estimated debt June 30, 1936, of \$30,933,375,017. The figure for 1937 does not include such amounts for work relief during the coming year as may be determined by congress."

Annual Deficits Revisited

The message emphasized the dwindling of annual deficits but at the same time showed that the national debt has doubled in six years—from \$18,000,000,000 in 1930 to \$36,000,000,000 in 1936. Mr. Roosevelt presented the picture of reducing annual deficits:

In 1934—\$1,929,000,000.

In 1935—\$3,575,000,000.

In 1936—\$3,234,000,000 (estimated).

In 1937—\$1,098,000,000 (estimated) but not including any new appropriations for work relief.

Mr. Roosevelt recommended appropriations for 1937 totaling \$2,400,000,000, including probably supplemental items estimated at \$600,000,000. This represents an increase of \$1,254,000,000 over the appropriations for 1936, exclusive of the \$4,000,000,000 relief fund voted last year.

"This increase," he said, "is due to (1) additional appropriations amounting to approximately \$610,000,000, including supplemental to be submitted later, required to finance new legislation enacted at the last session of congress;

(2) An appropriation of \$246,000,000 to continue the operations of the Civilian Conservation Corps * * * ;

(3) an increase in specific appropriations of \$187,000,000 on account of general public works; and (4) increases in the general departmental requirements aggregating approximately \$211,000,000, due largely to the increases in army, navy and the department of agriculture."

The president said developments

since March, 1935, had proved the fundamental soundness of his policies.

"We can look forward today to a continued reduction of deficits, to increased tax receipts and to declining expenditures for the needy unemployed," he said.

Makes You Forget You Have False Teeth

Don't worry about your false teeth rocking, slipping or wobbling. Pate's, a new improved powder, holds them firm and comfortable all day. No gooey, pasty taste or feeling. Bat, laugh and talk with comfort. Get Pate's from your druggist. Three sizes.

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