

# FDR's Counter-Blow Against High Court Once Rocked Nation

By LYLE C. WILSON  
Washington —(U.P.)— The last previous time federal courts threw a bone-shaking block against a United States president, the man in the White House countered with a blow that shook the nation.

The man was FDR. The block was midway in his first term. The counter blow was the so-called court packing bill — a project by which Mr. Roosevelt asked Congress to let him appoint additional Supreme Court justices.

**Dispute Rocks Country**  
The dispute which greeted that proposition rocked the country. It split the Democratic Party wide open. In 1935, the Supreme Court began junking FDR's New Deal legislation on grounds it was unconstitutional. The National Industrial Recovery Act, Railroad Retirement Act, Guffey coal bill, the Agricultural Adjustment Act were among the dead pigeons.

Safely elected in 1936, FDR countered on Feb. 5, 1937 with his plan to reform the Supreme Court. Six months later he lost that battle when the Senate scuttled the bill in angry protest.

But Mr. Roosevelt won the

war. Death and resignations opened Supreme Court vacancies and enabled him to put his own men on the bench. These men agreed in general with FDR's theory of a "flexible" Constitution, one which would stretch and bend under an aggressive president's emergency pressure.

FDR based his belief in flexibility on the related theory of "inherent powers" within the Constitution which gave the president or Congress extraordinary authority to take extraordinary emergency action. FDR did not invent the idea of a flexible Constitution containing non-flexible but inherent executive powers.

Theodore Roosevelt, for one, had the idea ahead of him. But none ever had it more firmly in mind than Mr. Roosevelt barring, perhaps President Truman.

FDR stated his Flexible Constitution idea in his inaugural address, March 4, 1933, and often thereafter, even when the old Supreme Court struck it down.

The new Supreme Court raised it up again for him. Now, 15 years after that great 1937 constitutional debate on court reform, a federal court has struck

## The Grange

Roxy Ann Grange will hold its regular meeting Friday, May 2. All Grange ladies who have their aprons made are to bring them for display.

The mothers are to be honored at this meeting as the men are to do the entertaining and serve refreshments.

Grangers are reminded that there is to be a square dance Saturday, May 3.

## Eagle Point Grange

The third and fourth degree team of Eagle Point Grange will go to Central Point on May 2 to put on the degree work for candidates being initiated there.

There will be a square dance at Eagle Point Grange hall Saturday, May 3, at 8:30 p.m. Gary Conrad of Medford will be the caller featured. Ladies are to bring sandwiches.

At the regular Grange meeting Tuesday, May 6, at 8 p.m., candidates for county offices will be introduced at an open lecturer's hour. Public is invited to meet these men at this time.

down once more the New Deal Fair Deal theory of a flexible Constitution with basic inherent emergency powers. Did Mr. Truman have "inherent" power to seize the steel companies?

This time the Supreme Court must pass on a question which more than any before it pinpoints the great and still undecided constitutional debate.

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A perfect gift! Fine multi-filament rayon crepes! Some with dainty appliques, others with shimmer nylon ruffles... appliques, lace set ins! White, pink, seafoam. 32 to 46.

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**Gold Printed NYLON BLOUSES**  
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Sparkling gold on sheer nylon in fashionable summer styles. So washable, so cool and airy. She'll love a blouse such as this for Mother's day!



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