

Review of the History-Making Events of the World

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Supreme Court Upholds Three New Deal Acts

THREE New Deal acts of legislation were upheld by the Supreme court in decisions that indicated that tribunal was becoming almost liberal enough to suit the administration. Two of them were unanimous. The third and most significant was rendered by five of the justices, with four dissenting. This last opinion was given in the case of the Washington state law establishing a minimum wage for women and the court reversed its position taken a year ago in upsetting similar legislation passed by the New York legislature. Justice Owen J. Roberts had swung over to the other side, but Justices Sutherland, Eutler, McReynolds and Van Devanter dissented from the present judgment, declaring that "the meaning of the Constitution does not change with the ebb and flow of economic events." This was a slap at the majority opinion, which was read by Chief Justice Hughes.

The court unanimously upheld the provisions of the railway labor act requiring railroads to engage in collective bargaining with their employees for the purpose of settling labor disputes. The opinion was read by Justice Stone and was closely studied by leaders of the administration who hoped to glean from it an indication of what the court might decide concerning the Wagner labor relations act, now in litigation. The Wagner act does not apply to railway workers.

The decision was handed down in the case of the Virginian Railway company and upheld a ruling by the Fourth circuit court of appeals directing the company to engage in collective bargaining.

"In considering the propriety of the equitable relief granted here," Justice Stone said, "we cannot ignore the judgment of congress, deliberately expressed in legislation, that where the obstruction of the company is removed, the meeting of employers and employees at the conference table is a powerful aid to industrial peace."

"Moreover, the resources of the railway labor act are not exhausted if negotiation fails in the first instance to result in agreement."

If disputes concerning changes in rates of pay, rules or working conditions, the decision added, are not adjusted, either party could invoke the services of the national (railway) mediation board.

The Supreme court also upheld the constitutionality of the new Frazier - Lemke farm mortgage moratorium act. The decision, read by Justice Louis D. Brandeis, whose opinion condemned the earlier Frazier-Lemke act, was unanimous.

The law was passed to replace a similar statute which the court held unconstitutional in the spring of 1935. Like the earlier law, it is designed to permit insolvent farmers to adjust their debts and to retain possession of their property for a three-year period during which they might redeem it.

No Government Action Yet on Sitdown Strikes

UNDER pressure from his advisers to take a public stand concerning the sit-down strike, President Roosevelt immediately after his return from Warm Springs held a conference with Vice President Garner, Senate Majority Leader Joe Robinson, Speaker Bankhead and House Majority Leader Sam Rayburn. At its close Senator Robinson, presumably voicing Mr. Roosevelt's views, said:

"The government cannot initiate action under the circumstances thus far presented. It is felt that the sit-down strike situation in a general sense is improving."

"There are two conditions under which federal action may be invoked in case of acute strike conditions; namely where federal laws have been violated or where federal

property, including the mails, is interfered with."

"Unless one of these conditions exists, federal intervention or action, under the Constitution and decision of the courts, is not warranted."

"The second condition is cases where state authorities, under the federal law, ask the services of federal agencies in the preservation of law and order and in the prevention of violence."

"Neither condition has so far arisen. Except in instances where interstate commerce is interfered with, where a federal law is disregarded, the federal government does not, and cannot under the Constitution, initiate action."

Contrasting Views of Miss Perkins and Green

SECRETARY OF LABOR FRANCES PERKINS, replying to criticism of her views on sit-down strikes by Representative McCormack of Massachusetts, wrote him:

"I think that it is the duty of the secretary of labor to point out the problems, purposes and intentions, as well as the conditions, of the wage earners of the United States of America, so far as these are understood or expressed."

"So I think it is my duty to say that careful inquiry indicates that the sit-down strikes do not reflect any widespread movement to defy the law or impair civil government or change current conceptions of property rights. The objectives are the usual objectives of unions in labor disputes."

That the sit-down strike involves "grave implications detrimental to labor's interests" is the view of the American Federation of Labor as stated by President William Green. This for two reasons:

"First, public opinion will not support sit-down strikes. That means labor loses public support when any part of it engages in sit-down strikes. Without such support organized labor cannot win strikes or establish and maintain itself as a vital force in the economic and industrial life of the nation. Labor cannot afford to lose the support of public opinion."

"Second, temporary advantages gained through sit-down strikes will inevitably lead to permanent injury. The public generally will not long tolerate the illegal seizure of property. If persisted in, it will through state and federal law-making bodies force enactment of legislation providing for compulsory arbitration, the incorporation of unions and other repressive forms of legislation."

"Labor should refrain from engaging in sit-down strikes and maintain its freedom of action and association rather than experiment with it and, as a result, be subjected to oppressive legal regulation and compulsory arbitration. It must be permitted to picket when strikes occur."

Negotiations to Settle the Chrysler Strike

UNDER the persuasion of Gov. Frank Murphy of Michigan, John L. Lewis, head of the C. I. O., and Walter P. Chrysler, chairman of the Chrysler motor corporation, were brought together in more or less peaceful conference at the state capitol in Lansing. The immediate result was an agreement that the sitdown strikers should evacuate the eight Chrysler plants in Detroit, and that the corporation should not resume production during the period of negotiations. Six thousand strikers had held possession of the plants since March 8 in defiance of court orders and the governor, as in the case of the General Motors strike, had been extremely reluctant to authorize forceful methods

of enforcing the law. He had, however, insisted that the men must obey the law and court orders, and the concession by Lewis was a victory for the governor, as well as for the corporation which had declared it would not negotiate while the men held its plants. Mr. Chrysler also has asserted the company would not enter into any agreement recognizing any one group as sole bargaining agency for all employees.

Japan Rejects 14 Inch Limit on Naval Guns

JAPAN has rejected a British proposal for the limitation of naval guns to 14 inch caliber unless Great Britain and the United States agree to reduce the size of their larger warships. This decision was imparted to Sir Robert Clive, British ambassador to Tokyo, by Foreign Minister Naotake Sato, and it leaves America, Britain and France, signatories to the London treaty, free to arm their ships with 16 inch guns. The British are said to have decided guns of that caliber are not practical at sea, but they are favored by United States navy engineers. Britain's five new battleships will carry 14 inch guns.

Ford Official's Reply to Martin's Threat

IN THE big mass meeting of workers held in Detroit, Homer Martin, president of the United Automobile Workers, addressed himself to Henry Ford, saying:

"Henry, you can't stop the labor movement. You can't keep your workers from joining the labor movement even if you have a 'fink' (company sympathizer) at every other post in your factory. The best thing for you to do, Henry, is to get ready to do business with your organized workers."

Mr. Ford is on record as saying that his company will continue to make cars as long as a single man will continue to work for it; and in reply to Martin's threat, Harry Bennett, Ford chief of personnel, says: "What Martin calls 'organized labor' is not going to run the Ford Motor company. For every man in this (the Ford Rouge plant) that might decide he wants to follow Martin and take part in a sitdown strike there are at least five who want their job and don't want a strike."

The Rouge plant employs 87,000 men. The minimum wage is \$6 a day, or 75 cents an hour for the eight hour working day. The plant operates five days a week, with the exception of the blast furnaces which must be kept going seven days a week.

Compromise Is Urged on Supreme Court Bill

SENATORS, some fifteen in number, who have not committed themselves on the President's bill to enlarge the Supreme court are earnestly trying to bring about a compromise that would enable them to go along with Mr. Roosevelt without laying themselves open to charges of supporting a plan to pack the court. Several compromise measures have been devised, one of which is that of Senator Carl Hatch of New Mexico, a Democrat and a member of the judiciary committee that is holding hearings on the administration bill.

Mr. Hatch proposes to modify the President's bill so that no more than two additional justices could be appointed in any one year. Furthermore, it would provide for a flexible court with a membership varying between fifteen and nine judges. The additional appointments, made upon the failure of justices past 70 to retire, would not become permanent increases. They would be offset by failure to fill an equal num-

ber of vacancies caused by subsequent retirements.

Though the opposition claims at least 42 votes, its leaders privately admit that congress probably will pass some kind of bill which will permit the President to change the present complexion of the Supreme court. Even if he is empowered to add only two new members, that would be an administration victory; and it is likely that death or voluntary retirement will give him a chance to put on the bench yet others better suited, in his opinion, to deal with problems of the present. Further witnesses for the opposition, appearing before the judiciary committee, included Dr. Irving Griswold, professor of constitutional law at Harvard; Dorothy Thompson, prominent journalist; Walter F. Dodd of Chicago, constitutional authority, and Dean Henry M. Bates of the Michigan university law school.

Congressman Sabath Is Attacked in the House

CONGRESSMAN RALPH E. CHURCH of Illinois raised a storm in the house by making a fierce attack on Adolph J. Sabath, also of Illinois and dean of the house. Sabath is chairman of the committee to investigate real estate bondholders' reorganizations, and Church accused him of "questionable practices," demanding in particular an explanation concerning benefits reaped by the Chicago law firm of Sabath, Perlman, Goodman & Rein as a result of Sabath's activities.

Democratic leaders rushed to the defense of Sabath, and finally stopped Church's attack by forcing adjournment.

Eminent Men Are Named for the Coronation

THREE famous Americans, with their aides, will represent the United States at the coronation of King George VI of Great Britain in Westminster Abbey May 12. They were selected by President Roosevelt and are: James W. Gerard, former ambassador to Germany, special ambassador; Gen. John J. Pershing, commander of the A. E. F. in the war, and Admiral Hugh Rodman, U. S. N. retired, special representatives.

Curtis Bok of Philadelphia will be secretary of mission. Col. James L. Collins will be aid to Gen. Pershing, and Commander Frank E. Beatty will be aid to Admiral Rodman. The battleship New York, flagship of the Sixth battle squadron with the grand fleet in British waters during the World war, will participate in the international naval review off Spithead on May 20.

Wreck of a Bus Fatal to Twenty Persons

NEAR Salem, Ill., a chartered bus carrying a roller skating troupe from St. Louis to Cincinnati crashed into a bridge abutment, overturned and burned. Of the 23 occupants, 19 were killed outright and another died in a hospital. The accident, listed as one of the worst ever occurring on an Illinois highway, was caused by the explosion of a tire.

Congressman B. K. Focht of Pennsylvania Dies

THE small Republican group in the house lost one of its members by the death of Representative Benjamin K. Focht of Lewisburg, Pa. Becoming suddenly ill while dining at a Washington hotel, he was taken to a hospital and passed away from heart disease.

Mr. Focht, who was editor of the Lewisburg Saturday News, began his public service in 1907 as a member of the 60th congress. The present was his tenth term, but he had

not served consecutively. He was seventy-four years of age and was the son of a Lutheran minister. His widow, a son, and a daughter survive.

"Volunteers" in Spanish War Stir Nations to Anger

SPAIN'S civil war is becoming to a great extent a war between Italy and France fought on Spanish soil, and both those nations are exasperated and enraged, while Great Britain anxiously strives to avert an open breach. Italy, too, is now furious against the British because English newspapers taunted her with the fact that Italian volunteers were defeated by French volunteers in recent victories won by the



Dino Grandi

loyalists northeast of Madrid. Count Dino Grandi, Italian ambassador to London, told the subcommittee of the international committee on non-intervention that he would not discuss the withdrawal of foreign volunteers from Spain and that not a single Italian fighting in the Spanish war would be ordered home until the conflict ended.

France's response was quick and startling. Foreign Minister Yvon Delbos proposed to British Ambassador Sir George Clerk that France and Britain assume a naval blockade of Spain to keep Italian troops from landing to join the fascists. The British and French governments thereupon agreed, with full knowledge of other European powers within the non-intervention committee, on "all points" of a program to make non-intervention completely effective and decided it was imperative to prevent, even by force, any further Italian landings. No decision was reached to send warships at once for this purpose.

In Rome the belief was expressed that if France appealed to the League of Nations against alleged dispatch of Italian troops to Spain, Europe would come near to war. A spokesman for the government angrily repeated the official denial that Italy had sent any volunteers to Spain since February 20, when the international agreement for non-intervention was reached.

The indignant outburst by Grandi followed closely on a speech which Premier Mussolini delivered in Rome. Alluding to the League of Nations' sanctions against Italy during the Ethiopian war, of which England was the chief promotor, Il Duce shouted:

"It has been said that the Italian people forget easily. Error! Error. On the contrary, the Italian people have a tenacious memory and know how to bide their time. We waited 40 years to avenge Adowa, but we succeeded."

Mussolini had just returned from a visit to Libya, Italy's North Africa colony, and on that trip he made a patent bid for Italian leadership of the Moslem world. This, and his intention to build a naval base on the Red sea which would challenge British control of the Indian ocean are irritating Great Britain, which is not yet ready to check Mussolini by a display of armed force. She will be ready, however, before very long, for she is expending vast sums on her fleets and naval establishments.

Germany is not taking active part in these international spats just now, but is awaiting developments. Hitler is absorbed in his domestic difficulties and the threatened break with the Vatican.

The defeat of the Italians on the Guadajajara front was followed by an almost equally severe setback in southern Spain where Italian volunteers also were said to have made a poor showing. These events seemed to cool down somewhat the fiery ardor of Mussolini, and the English and French statesmen were hopeful that a general outbreak in Europe had been at least postponed.