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ROY W. HOWARD President
TALCOTT POWELL Editor
EARL D. BAKER Business Manager

Phone—Riley 555



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A CHANGED COURT

THE depression or the new deal, or perhaps both, have penetrated to the United States supreme court.

The same court which held, a few years ago, that 7.44 per cent return and anything thereunder on the property of utility companies was confiscatory, now has decided that 7 per cent return on the property of the Los Angeles Gas and Electric Company is reasonable and is not confiscatory.

More than that, it has sustained the rate base fixed by the California railroad commission, which had trimmed \$30,000,000 from the \$95,000 valuation claimed by the gas company.

The supreme court recognized that "reproduction new" is an element in the rate base that can work to the advantage of the public in time of falling prices as well as to the advantage of the utilities when prices are going up, and it looked with leniency upon rejection of a \$9,228,667 "going concern" value" claim made by the company.

In a dissenting opinion, two disciples of the old school of thought on the court—of the group that used to compose the majority—lament that the decision does not adhere to mandates laid down in the past.

They apparently are correct in this, and the change they protest is a signal for rejoicing on the part of those who regard the old remoteness of the court from current conditions and current thought as one of the greatest dangers to the American government.

The victory of the liberal California commission has encouraged the people of that state to drive for lower utility rates from other companies. It should encourage the people and commissions of other states to do likewise.

When the supreme court finds that lower rates of return are not confiscatory, we can be assured that reductions will not damage the plaintive power companies.

DEPRESSION TRAGEDY

ONE of the saddest of all the stories of the depression is the one about the 14-year-old Indianapolis school girl who tried to end her life because her schoolmates taunted her when they found her wearing a shabby pair of shoes which one of their number had thrown away.

The girl was one of sixteen children of a jobless miner. The family had no money for shoes or anything else. She had to wear the discarded shoes, which had been found on some scrap heap, or go without.

It often has been remarked that the weight of the depression rests most heavily on the children; and this pitiful little story is a reminder that it is not only the physical deprivation which counts.

The mental anguish inflicted on this youngster by the thoughtless cruelty of her schoolmates is the sort of thing that is a long time healing.

FRANCE'S WAR DEBT

SENATOR BERENGER of France, chairman of the senate's foreign affairs committee, remarked in the French senate recently that his fellow countrymen ought not to count too much on getting substantial concessions from the United States government in regard to the war debts.

President Roosevelt, he agreed, seems well-disposed—but there is still the American congress to deal with; and he warned his hearers that "we don't want to repeat the experience we had with Wilson and Hoover."

That, when you stop to think about it, is probably fair enough, after all. If Presidents Wilson and Hoover could be questioned about it, they probably would say, quite fervently, that they didn't want to repeat the experience they had with France, either.

BUSINESS CONTROL IDEAS CHANGE

IF some one sat down to write a history of the Sherman anti-trust law, and the varying attitudes which the public has displayed toward it, he would find when he got through that he also had written the history of one of the most significant phases of the whole industrial revolution.

The Sherman act bridges the gap between two diametrically opposite ways of looking at the fruits of the machine age.

It was born when the whole nation looked with suspicion and an uneasy distrust on the giant combines of industry and finance. Mere size, in itself, seemed bad in those days.

Our ideal still was the small business man, the small industrialist, the man who knew all his employees by name and carried most of the details of his business in his own head.

That seemed to be the only kind of business that jibed with our traditional concepts of freedom.

But the tide was running the other way. Instead of small shops, we got vast plants employing men by the thousands; great networks of interlocking businesses that blanketed the entire country, with a maze of security setups that seemed to put ownership and management above the reach of public control.

So we adopted the Sherman law, hoping to stem the tide.

But the tide kept on moving; and as it moved our ideas changed.

We began to discover that "big business" was an inevitable outgrowth of the age of machinery. The trend couldn't be stopped.

The day of large-scale operations and giant combinations had arrived and we could do little but make the best of it.

And this, we began to see, might not be so bad, after all. If we could somehow foster

this bigness, help it to become even bigger and more widespread, and at the same time work out some scheme by which social values would weigh just as heavily as profits, we might do very well for ourselves.

So now leaders in the administration discuss with industrial leaders the possibility of modifying the Sherman law—partly in the interest of business, but chiefly in the interest of the ordinary citizen.

It is a strange and significant shift which has taken place.

CHILD SLAVES

EXPOSURES by the Pittsburgh Press reveal conditions among striking child workers in Pennsylvania reminiscent of those that turned Robert Owen into a Socialist in England a century ago.

More than 12,000 children under 16 are working in clothing sweatshops for \$2 to \$3 a week, wages below relief doles to the idle. One sweatshop employer was arrested for working his force twenty-three hours in one day. The sixty-hour week is common.

Little workers are assessed from 10 cents to \$1.50 for "mistakes." One mill charges \$10 to "teach" them to be silk operatives. Girl minors are debauched under coercion of bosses.

Such conditions are not isolated. The National Child Labor committee reports the mushroom growth of sweatshops all over the nation. Children 14 and 15 are paid as low as \$1 a week in New Haven, Connecticut tobacco workers, New Orleans cannery hands, Salt Lake City factory boys and girls suffer with those of the clothing regions.

What shall be done about this revival of child exploitation? President Roosevelt's appeal to employers to "lay aside special and selfish interests" will not suffice. Neither will William Green's demand that sweatshops be "held up to the public scorn."

Boycotting the product of sweatshops, as urged by the Consumers' League and Women's Trade Union League, will help. But without strict laws even an aroused public is helpless. First, the federal government should move to stamp out child labor. This social disease must be treated nationally as are epidemics. If the states lag in passing school age limit laws or in ratifying the long-overdue child labor amendment, congress should enact a new child labor law and take its chances with a more enlightened and humane supreme court majority.

DRIFT TOWARD CRIME

JUVENILE delinquency has increased 50 per cent in New York City during the last year, according to the Boy Scout Foundation.

The district attorneys are bothered by the growth of boy gangs in the streets. George H. Chatfield, director of the Board of Education's Bureau of Attendance, told the New York Principals' Association that economic conditions must be improved before there can be much hope of dealing with juvenile delinquency.

Miss Henrietta Additon, deputy police commissioner in charge of the bureau of crime prevention, said at the same meeting that reduction of money spent on playgrounds and similar activities was a handicap in crime prevention.

Here is a powerful additional incentive for those now toiling to bring the country out of depression—while hundreds of thousands of juveniles of both sexes roam the country the stationary population of youth in the cities tends to grow more unruly and to drift faster toward crime.

So does the depression threaten to visit itself upon the future generation.

HARVARD'S NEW PRESIDENT

THE late Dr. Edwin E. Slosson once said that we could solve many of our problems if we only knew as much chemistry as a tree.

Harvard university just has chosen as its new president the one man in America who comes closest to possessing that knowledge. He is Prof. James Bryant Conant, who at the age of 40 has succeeded to the office which Dr. A. Lawrence Lowell at the age of 75 has resigned.

A tree, or any other green plant, grows by a process known as photosynthesis, a process by which it turns the carbon dioxide of the air and the water of the soil into the substance of its tissues.

Dr. Conant is America's chief authority upon photosynthesis. Last year, he was awarded two medals for his discoveries relating to the chemical composition of chlorophyll. They were the Chandler medal of Columbia university and the Nichols medal of the American Chemical society.

Dr. Conant was born in Massachusetts and educated at Harvard. During the war he was a major in the research division of the Chemical Warfare Service and spent considerable time at the Chemical Warfare laboratory in Waltham, O.

In a day when science seems to hold much of the future hope and welfare of the world, Harvard university acts wisely in calling a distinguished scientist to its leadership.

BARGAIN-COUNTER JUSTICE

IN the current drive against the depression one must not overlook the necessity of curbing crime and racketeers. These cost the country even today, by conservative estimate, some twelve billion dollars annually. This is roughly equivalent to one-fourth of our total national income at the present time.

It is a sum equal to more than twice the principal of the war debts, and twice as large as the maximum proposal made for a public works outlay deemed sufficient to restore prosperity.

If we repress crime, justice must be sure, swift, and impartial. This seems to be one of the main reasons that the crime rate is kept within the bounds of reason in England and other European countries. That it is notoriously not the case in the Empire state just has been brought out by a report of the New York State Commission on the crimes and sentences of prisoners, of which Sam A. Lewishow was the chairman.

It is all the fashion for reformers in this field to lambaste the jury system, and there is little doubt that their attack is just. But it is a little recognized, though very important, fact that in New York state today the jury trial has been superseded in large part by pleas of guilty on a bargain-counter basis.

The day of large-scale operations and giant combinations had arrived and we could do little but make the best of it.

And this, we began to see, might not be so bad, after all. If we could somehow foster

trial. They had made and had accepted pleas of guilty to lesser offenses than those of which they had been indicted.

There often is little relationship at present between the crimes for which persons are arrested in New York state and those for which they are convicted. The reason for this is the utterly foolish system of severe mandatory sentences produced by our recent hysteria about the crime wave.

Judges, with some spark of decency and humanity, hesitate to impose the atrocious sentences made mandatory for a particular crime. Hence, they are prone to accept a plea of guilty for a lesser crime.

"It is as if the courts themselves, realizing almost instinctively the essential injustice inherent in these mandatory sentences turned with relief to any methods, however clumsy, to avoid imposing such long inflexible terms of punishment.

"In doing so they unconsciously often rendered the whole system of prison sentences absurd and gave to the prisoners and their families a sense of being able to frustrate or evade any of the laws of punishment and correction."

This system is particularly vicious, in that it gives a special advantage to the clever and experienced criminal who already has had contact with our criminal law and knows enough to get statute lawyers who will help him to make the best possible bargain with the judge.

The committee wisely suggests the logical remedy; namely, that the judge shall impose automatically the maximum sentence provided by law for the crime of which the offender has been convicted.

Then the power of release should be transferred to the board of parole, with authority to act at any time after the convicted person has served one year in a penal or reformatory institution. They emphasize the utter illogicality which prevails today in our system where the sentencing judge is allowed to consider only the crime, while ignoring the offender, and the parole board is expected to consider the offender rather than the crime.

This logical contradiction brings confusion and inefficiency into our system of criminal jurisprudence from the moment of arrest until the final discharge of the convict.

WOMAN DIPLOMAT

MRS. RUTH BRYAN OWEN, America's first women minister, who leaves soon to take up her duties in Denmark, declares what she believes to be President Roosevelt's policy regarding women in public office. It is a sound policy. As stated by Mrs. Owen it is:

"No woman in public life should be given any distinction because she is a woman, but, on the other hand, she should not be barred because she is a woman. Let us appoint them or promote them on the same basis that we would if they were men—on their abilities and their records."

None can doubt the ability of a Ruth Bryan Owen to perform the duties of minister in a highly creditable way. Daughter of a man who hardly breathed outside the spotlight of political life, she has spent her life with public problems.

Possessed of an extraordinary personal charm, she has become a diplomat in the sheer process of living in a political world.

German minister of propaganda suggests extending 1936 Olympic games at Berlin to include "a competition of minds" expressing typical feeling of each country "toward the human problems of freedom, love, beauty and God." We await with interest the contributions of Mussolini, Hitler, Kemal Pasha and Stalin on those subjects.

M.E. Tracy Says:

WHERE young people formerly danced and sang around the garlanded maypole, they now wave red flags and make bitter speeches. The white bloom of the hawthorne bush has turned crimson before a rising tide of pitiless intelligence.

Chemistry and cold storage have taught us to regard Nature as rather fickle and inferior. With warehouses full of last year's meat, fruit, grain, and vegetables, why get so excited at the advent of spring?

"Maying," as they called it, might be all right for the simple, down trodden proletarians of old England, but this is an age of steel—steel in the mind, the heart, and the soul. The modern road to salvation requires a certain degree of cynicism just to prove that one is fit to travel on it.

Let us be strong, comrades, and work for that glorious time when the government will set concrete flowers in everybody's garden, and provide an exhaustless vineyard of synthetic grapes.

Bombs for Chicago, hunger marches for Boston, and a flock of war planes darkening the sky above Moscow to impress Japan with Russia's new-found strength! What a merry world this would be but for men with a grim sense of Hitler, like Hitler!

He stole May day for the Nazis, leaving the German reds to cool their heels in amazed retrospect. The celebration was just as noisy, but with far less violence and for a very different purpose.

IT all goes back to a bit of emotionalism and a sense of direction. No doubt, Henry the Eighth thought that he was displaying political wisdom when he made that legend to visit to Robin Hood on May 1, 1515, or when he hanged some London apprentices for staging a riot on the same date two years later.

No doubt, Louis XVI imagined he had chosen an auspicious date when he called for the States General to assemble May 1, 1789.

Red flag, bomb, and May basket, all stand for something which we seek through the empiricism of hope or fancy, and there is about as much superstition in one as in either of the others.

Civilization, if it properly can be described as such, happens to be in a singularly bitter mood right now, finding more pleasure in quarreling over beliefs than in observing the recurring phenomena of life.

A lurking taste for cut flowers lingers on, but as the hangover of an obsolete era. Some few still sow and reap for the sheer love of it, but a constantly increasing portion rather would roll down some smooth, hard road.

It is all the fashion for reformers in this field to lambaste the jury system, and there is little doubt that their attack is just. But it is a little recognized, though very important, fact that in New York state today the jury trial has been superseded in large part by pleas of guilty on a bargain-counter basis.

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Says Which?



:: The Message Center ::

Hail Roosevelt!

By P. L. M.

MR. ROOSEVELT should be heralded as the man of the hour. The manner in which he has come to the rescue of the American people has appeared to be a miracle. It is almost unbelievable that any man possesses the dauntless courage and iron will that Mr. Roosevelt has displayed since he took the oath of office on March 4.

My father and my mother have been Democratic voters in one county for more than thirty years. They raised a family of six boys and girls who are all now married and active Democrats.

My youngest brother was graduated from high school at the age of 16 and who is as upright and honest as any man employed by the state, bar none. He worked hard for the party without pay, even before he was old enough to vote. He served several times as precinct committee man and last summer his county—and, if I am not mistaken, it is Indiana's largest—sent him as a delegate to the state convention.

Though he refused to go to the convention pledged to any man, he cast his honest vote for the man he thought most fit to be our Governor, namely, Paul V. McNutt.

And now, because my brother was hired by Frank May Jr. and was loyal, not only to Governor McNutt, but Mr. May as well, he was fired. Why? Because Frank May Jr. would not follow where the herd led him, but dared to voice an opinion of his own.