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MONDAY, SEPT. 4, 1933.

LABOR DAY, 1933

ORGANIZED labor, celebrating Labor day, can point to the last six months as one of the most successful periods in its fifty years' struggle in behalf of the American masses.

Never in so short a time has its peacetime progress been so rapid or so spectacular. Under the Norris-La Guardia anti-injunction act and the new deal legislation, labor's right to bargain collectively has been carved into the tablets of our laws. A labor secretary, whose heart is sympathetic, now fights labor's battles. The recovery act has adopted labor's goals for shorter hours and higher wages and its administration has granted labor leaders equal voice on its boards.

Through NRA and its codes, the toll of children under 16 has been prohibited, the universal forty-hour week is by way of being adopted in industry; 2,000,000 jobless have been re-employed, compulsory company unions have been banned, the long untouchable industries of oil, automobile and steel are coming to recognize the rights of unions to speak for the workers.

A friendly national labor board has been created to settle strikes.

Labor itself has made great strides. It has settled a twenty-year dispute between the progressive Amalgamated Clothing Workers and the United Garment Workers. The United Mine Workers have gained 300,000 new members.

President William Green of the American Federation of Labor claims to have added 350 new unions and 1,000,000 to the federation membership in the last two months.

Without strong and able led unions, the industrial codes will not stand. It can not be forgotten that 11,000,000 people still remain jobless, that wealth largely is monopolized.

The nation struggling toward a better social system looks with hope toward stronger and better organized labor movement.

DECISION TELLS THE STORY

THOSE who have been looking sideways at the principal acts of the administration's recovery program, fearful lest they find a revolutionary hue in them, ought to sit down and read the text of the decision by which Daniel O'Donoghue, District of Columbia supreme court justice, upheld the Constitutionality of the agricultural adjustment act.

Compressed into a few paragraphs, here is a ruling under which our whole form of society and our entire economic machine could be put upon a brand new basis.

If that statement seems strong, you have only to read the following quotation from Justice O'Donoghue's decision:

"The welfare of the people and the very existence of the government itself are in peril.

"The day has passed when absolute vested rights in contract or property are to be regarded as sacrosanct or above the law.

"Neither the necessities of life nor commodities affected with a public interest can any longer be left to ruthless competition for selfish greed for their production or distribution."

That decision, as a matter of fact, may become a great milestone in the never-ending conflict between human rights and property rights.

Let it be upheld finally by the nation's highest tribunal and we shall have an entire new philosophy embedded in our legal structure.

Its implications are clear, upon a moment's reflection; nor does one have to ponder very long to discover that some very revolutionary things could be done under the doctrine there in set forth.

The statement that there are rights which transcend the rights of property and the rights of contract, followed as it is by the blunt declaration that the day of free competition in the production and distribution of "the necessities of life or commodities affected with a public interest" is about as far-reaching a dictum as the American courts have ever laid down.

In its influence upon subsequent legislation and upon the general direction of the stream of American life, this ruling well may be, ranked as one of the most important in American legal history.

STUDY THE NRA

IT would be well if everybody operating under the NRA were to secure a copy of the national industrial recovery act and read it. For some queer things are being attempted in its name.

Numerous under-the-surface disputes have been going on in various businesses, many of them having to do with the question of price-fixing. Certain trade associations have seemed to be more interested in the question of raising prices than in any other question, with the result that in some instances intimidation and threats have been resorted to against those who did not agree with their contentions.

Of course, none of these conditions is contemplated under NRA. If prosecutions or penalties are necessary, there are punitive provisions in the recovery act, and it is not necessary to resort to other laws to do by indirectation what can not be done by direction.

If price increases are necessary, they are intended to be sufficient simply to enable payment of decent wages, observance of code hours, and a fair profit, without any element of profiteering against customers.

Most of the questions of policing the NRA codes now arising undoubtedly grow out of ignorance of their exact provisions, although some undoubtedly are the result of a desire to turn NRA to the individual advantage of one firm or class of firms.

Gradually, as the new order is established,

these disputes will be wiped out. Clear and honest thinking will eliminate them. Meanwhile, it is highly essential that threats of boycott, of loss of the blue eagle and of other punitive measures be used very sparingly.

Less threatening and more education regarding codes, their provisions and their aims, is needed badly.

NO ADVENTURE FOR SAILOR

A LITTLE thirty-six-foot sailing sloop slipped into New York harbor the other day after more than a month at sea. It came from France, and its sole occupant was a young painter, one Marin-Marie Durand-Couper.

When this venturesome youth was asked to tell of the thrills of his single-handed crossing of the Atlantic, he replied flatly that there hadn't been any.

"There were some difficult head winds and I was happy to arrive in the bay," he said. "What happened? A storm. Wind. Waves. I lost a job. But I can not excite you with words."

"When one has been to sea many times, one either has bad weather or good weather, and the excitement comes only when one has never seen either good weather or bad weather before."

Now in all the fine frenzy of words with which we landsmen like to talk about "the sea," as if it were a mystic and forbidden realm on which romance eternally rides the horizon, this matter-of-fact little statement seems to come about as close to giving the real essence of things as any one could.

Unless certain veterans at the bar can be forced to conform to the higher standards of the profession, the evil will not be checked.

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ficiaries of special privileges will pay bonuses here, there and everywhere out of the treasury to be paid back by every worker.

But they can not stomach the principle that every man has a right to work for his living at decent wages. They will pay bonuses as the price of power to write the tax laws under which the bonuses will be met.

Senator Robinson, subservient Old Guard, a bird of the feather of those who turned the country's economic processes over to the exploiter, will promise candy. But his ilk will not recognize the right to bread and butter.

LAWYERS ON PROBATION

L AWYERS will be interested in the proposal of Davis A. Simmons, vice-president of the American Bar Association, that a five-year probationary period be drawn up for all fledgling attorneys, so that the legal profession may weed out attorneys who show signs of being either incompetent or crooked.

As it is now, any youngster who has been to law school and passed the bar examinations can hang up his shingle. Mr. Simmons suggests that after five years such a youngster be examined by some sort of governing board, to prove not only that he has the makings of a competent lawyer, but also that he has not indulged in any unscrupulous practices.

It is obvious that here is the germ of an excellent idea. Unfortunately, however, those shady tactics which bring the legal profession into disrepute are not confined to young lawyers.

Unless certain veterans at the bar can be forced to conform to the higher standards of the profession, the evil will not be checked.

WHO SOCKED HUEY?

K INGDOMS may wax and wane, wars may come and go, statesmen may rise and fall, the question of the moment, as far as the general public is concerned, simply is, "Who socked Huey Long?"

Louisiana's Kingfish has been a unique character ever since he burst upon the somewhat startled vision of the nation; and he retains his unique qualities even in the process of absorbing a shellacking in a fashions Long Island washroom.

That this was one of those epic battles you read about seems very clear. What is not so clear, unfortunately, is the identity of the gentleman who collaborated with the senator in the encounter.

Here is a man who seems to be hiding his bright light under a bushel. Why can not he step forth and make known his name for the benefit of his wistfully inquisitive fellow countrymen?

ETHICAL BREWERS

A CODE of ethics has been drawn up for brewers of the country; and it contains a few paragraphs that make interesting reading.

One provides that brewers will not directly or indirectly sell beer to unlicensed outlets or to people who are in any way evading local, state or national laws governing the retailing of beer.

Another provides that no officer or director of a brewery may have any connection, either as partner, officer or stockholder, in a place engaged in the retailing of beer.

Here are two exceedingly sensible provisions. If the brewers had adhered to them strictly in the days before 1920, there would have been less reason for the experiment with a national prohibition law.

Huey Long gets an offer of \$1,000 a week to appear in a sideshow. It'd be an awful come-down after all these years of burlesque.

That century plant down in the New York botanical garden finally has bloomed. That restores our faith. Maybe prohibition repeal will come, after all.

M.E. Tracy Says:

THE wheat agreement signed at London Aug. 25 was both complicated and vague. For one thing, it recognizes that the weather may have some effect on production and that other conditions may arise to spoil the best laid plans. Making allowance for such factors, it provides that exporting nations shall stabilize their output, that other nations shall not go into the wheat business, and that importing nations shall do their utmost to maintain a price of 63 cents a bushel.

Senator Robinson is shocked that Morgan and his partners and others of their ilk paid no income taxes. So is the nation. But the laws under which they paid no taxes were passed when Mellon from outside and the Old Guard reactionaries within dominated the Senate.

We hope Senator Robinson will correct us if we are wrong in not being able to discover in any record that he ever raised his voice against those laws; or against the Mellon domination of the nation's tax laws; or against the Old Guard regime.

There is a fundamental difference between the Roosevelt theory and the Robinson-Old Guard theory. All over the country men are going to work because President Roosevelt has said that to work is a human right.

Wages are raised and hours are shortened and unemployment is lessened, and the exploiters of labor have been given a blow from which they will be a long time recovering.

Of course they don't like it; of course they will strike back. To strike back they will try to pick up here a group on one issue, there another on a different issue.

The veterans who suffered are being taken care of as adjustment boards reach them. All the rest that Senator Robinson has to offer is a cash bonus.

Does any one think that the \$300 or \$400, which is all most veterans could get out of that, compares with what these veterans and every other worker have lost under the reactionary regime of which Mr. Robinson has been so faithful a lieutenant?

The Old Guard defeated the bonus; that is in the record. But not all were against the bonus. They will pay a bonus rather than accept the principle that every man who is willing to work has a right to work and at decent wages. Wages must come out of their own dividends.

What is the bonus to them? A one and two billion dollar sop added to the national debt, already large, paid by the taxpayers, not under their laws—but the Morgan partners.

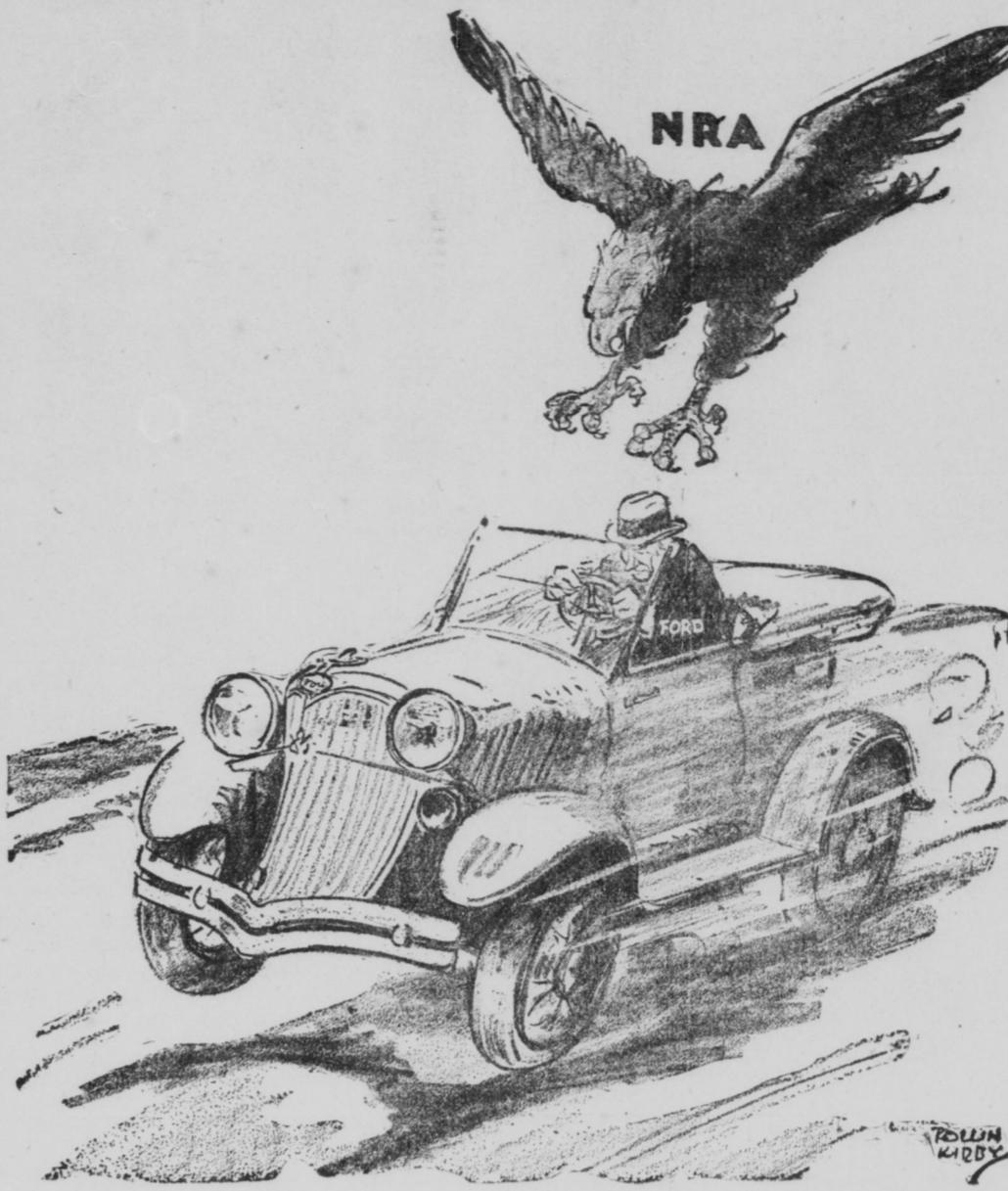
It is a fight as old as the ages. The bene-

ficiaries of special privileges will pay bonuses here, there and everywhere out of the treasury to be paid back by every worker.

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Wings Over Henry



Science

BY DAVID DIETZ

THE name of Dr. Edwin B. Frost will live forever in the annals of astronomy. But the details of his career should be known also to America at large. For it is a heroic tale full of inspiration, particularly for all those who labor under handicaps.

For Dr. Frost, who recently retired as director of the famous Yerkes observatory, carried on the last ten years of his work despite the handicap of blindness.

Dr. Frost has been succeeded by Dr. Otto Struve, great-grandson of the famous Friedrich George Wilhelm Struve, a member of the fourth generation of astronomers in his family and the fifth member of it to become the director of an observatory.

Blindness set in upon Dr. Frost gradually, his sight beginning to fail about 1920. He had then just completed a fifteen-year study of the stars in the constellation of Orion, measuring their velocities and classifying them as to color, size, temperature and so on.

Whether the strain of those fifteen years of work contributed to his blindness or not is something the medical profession was unable to determine. Perhaps he would have become blind no matter what his work had been.

I SAW Dr. Frost a number of times at scientific meetings after his sight began to fade. No one, of course, can say what struggle must have gone on in Dr. Frost's mind.

But it was apparent to all who met him that he had won the struggle. He was in good spirits, taking an active part in scientific discussions and conversations.

After his sight was completely gone, he continued as director of Yerkes' observatory. He could no longer carry on observations himself, but he could aid others with the advice and counsel of his many years of work.

A few years ago I heard him give a lecture. It was illustrated with stereopticon slides, some of which he had made before his blindness and some of which had been made after his blindness.

At first it seemed almost uncanny to hear this blind man describing and explaining to an audience pictures which he himself had never seen.

But though he had never seen these pictures with practical eyes, he had seen them through the eyes of his colleagues and through the eyes of his mind.

IT reminded one of that great pioneer, Galileo. That great genius went blind in his old age. But he kept on working. He could not see, but he could still think.

And after he was blind, Galileo formulated his laws of motion, the laws upon which Newton later built his great treatise on gravitation, "Principal."

I never heard Dr. Frost allude to his blindness. Perhaps his attitude was something like that of Galileo, who wrote to a friend:

"Alas, your dear friend and servant is totally blind. Henceforth this haven this universe, which by wonderful observations I had enlarged hundred and thousand times beyond the conception of former ages, is shrunk for me into the narrow space which I myself fill in it. So it pleases God; it shall therefore please me also."

Dr. Frost also enlarged the universe by his observations. He first came into prominence at the beginning of the twentieth century.

At that time, astronomers were just beginning to learn the possibilities of the spectroscope, a combination of prisms which analyzes the light of a star by dividing it into a spectrum or rainbow.

An Oil Painting

Harriett Scott Olinick. I stand at the head of the lane, Warm with color, and carpeted with gold.

The trees are tall and silent sentinels;

Summer is middle-aged; her face is old.

The distant horizon weeps with beauty,

Deep blues and purple grey.

Sun falls in fading dappled streams;

It is the fleeting pale gold gown of day.

The trees slice purple shadows

On the brown floor of the lane.

Their heads are orange and saffron,

Wearing proudly their new pain.

The lane beckons; I dare not follow.

It ends in a maze of purest gold.

If I should hearken what might I see?

Rather illusive beauty than a realism cold.

Sleeping Sickness Begins With Nausea

BY DR. MORRIS FISHBEIN

Editor Journal of the American Medical Association and of Hygiene, the Health Magazine.

able to place themselves in relationship to others, and frequently have loss of memory.

Whereas in most previous instances of epidemics of this character one of the early symptoms has been dropping of the eyelids and double vision, this condition has not been prominent in the cases which have occurred in St. Louis.

In the examinations that have been made of the spinal fluid, signs of inflammation are apparent through an increase in the number of cells found in the spinal fluid.

Thus far in St. Louis about 10 per cent of the patients have died. Many already have recovered after two weeks, without apparent symptoms, but the time is too short to say what the eventual condition of these patients will be.

There is nothing any one can do personally to prevent the possibility of infection with this disorder, but it is useless to become alarmed, since the condition is not so seriously contagious as the common infectious disorders.

In the cases thus far studied, it has been impossible to trace contact between the patients, except in one instance, when two members of one family were affected.

There is nothing any one can do personally to prevent the possibility of infection with this disorder, but it is useless to become alarmed, since the condition is not so seriously contagious as the common infectious disorders.

Eight major depressions and a score of minor ones have seized upon us during our history. The present is the first in which