

## It Seems to Me

By

Heywood Broun

THE President of the United States has drawn as sharp and clear a line as Colonel Travis dug with his toe across the dirt floor of the Alamo. It is the right of every one either to walk across and take his place beside the leader or to stand stock still as indication of his opposition.

But the day of the half-and-half fraternity and the one-third and "but" boys has ended definitely. He who is not with me is against me.

A motley crew are those who will not come across. The army which stands out against the call to the new order is made up of individuals both red and rugged.

## Foreign Legion Members

BUT in spite of the various uniforms worn by those who insist upon standing out, the issue is plain enough. The fight lies between the forces which wish to go back to the structure which we knew under Hoover and Coolidge and Harding and those who are convinced that the old order is dead and not merely sleeping.

Heywood Broun Until President Roosevelt appeared before the seventy-third congress it was said with some fairness that the purposes of the administration were shrouded in a certain amount of mistiness. Even within the official family itself some held that recovery was the only purpose to which the government should devote itself. Admitting that the ship of state had suffered a rather nasty accident, they held that nothing need be done but wait for the coming of a higher tide. They would put to sea again as soon as the keel could be disengaged from the mud.

Now the President has spoken. He has announced the launching of a brand new craft.

Booking a Cabin for Two

AND I'm for the ark. I'm not among those who feel that it "ain't goin' to rain no more." If we must go up the gangplank two by two it is my intention to team up with the first available elephant. We elephants do not forget. I still can remember the slight-of-hand by which Mr. Hoover made the chicken come out of the pot and disappear into even thinner air.

I'm for the new deal. It may bog down far short of the places to which I hope it will go. But look at the old deal. "All ashore that's going ashore!"

I'm for the magical islands that lie ahead of us out there where the blue begins. Anchors aweigh!

If it is held against me that on numerous other occasions I have yielded too readily to enthusiasms and the spell of adjectives, I readily will admit the impeachment. It is a mistake, perhaps, to waste all your warm words early in life. The prodigal critic of literature or life may come in his declining years face to face with some masterpiece and have nothing left to say. Such a spendthrift fumbles in his purse and finds nothing except small change in coins of nickel and copper. And these are worn smooth through overuse. Still there is something to be said for Coal Oil Johnny.

He has had fun for his adjectives. There is a compensating gladness in the hearts of the young critics when he remembers the day an obscure author came to him asking bread, though rather expecting a stone, and he with a flourish reached down into the bread box and gave the poor man a layer cake.

Upon Shooting the Works

THAT is why many editors have insisted that any code they sign must contain a specific statement that they do not relinquish any of the Constitutional rights of a citizen to print and publish freely, though of course, the newspaper code, whether or not it contains such a provision, can not exempt the press from the NIRA, a law of congress.

This "licensing" provision of the act, however, expires June 16, 1934, and vehement assurances have been given by the adminis-

## THE FREEDOM OF THE PRESS

## Code Maneuvers Seen Threat Against Liberty of Speech

This is the last of a series of articles on "Freedom of the Press," explaining why this issue is important to every newspaper reader.

BY WILLIS THORNTON  
Times Special Writer

IT is in time of war or other emergency that freedom of expression always is in greatest danger.

And the first words of the national industrial recovery act are: "A national emergency . . . is hereby declared to exist."

That makes the editorial mind turn immediately to the wartime emergencies which so often have meant censorship and oppression.

That is why American editors have watched so carefully the development of NRA and the rest of the new deal as they may affect, directly or indirectly, freedom of expression.

That is why it is important to every man—because any restrictions on those liberties are restrictions on you, the reader, as well as on the publisher.

THE new freedom act then goes on to state that "Whenever the President shall find that destructive wage or price cutting or other activities contrary to the policy of this title are being practiced in any trade or industry or any subdivision thereof" he may, after public hearing, place that industry under license.

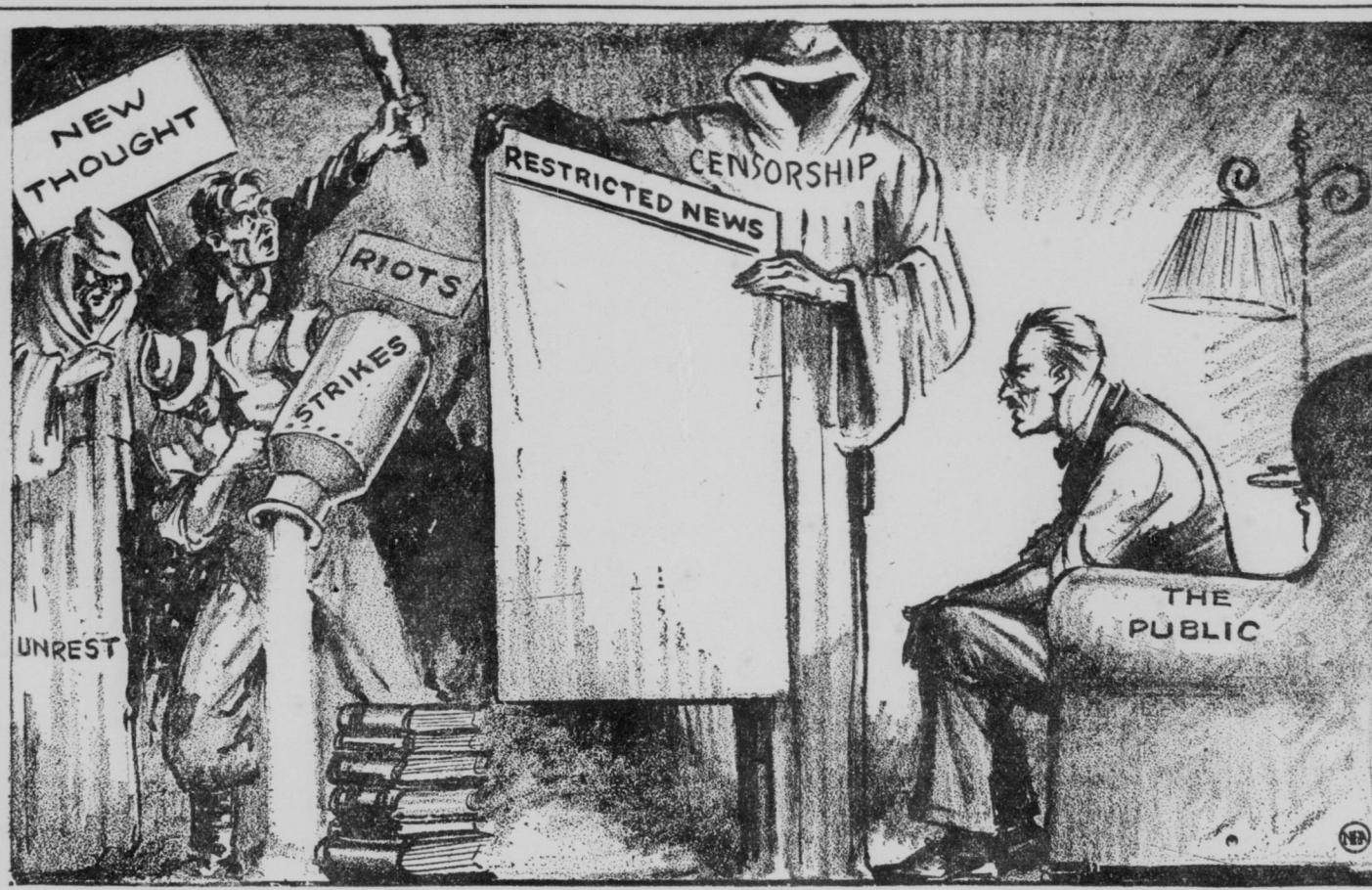
That means he can refuse to allow certain companies to carry on, simply by refusing them licenses. From such decision there is no appeal and fines of \$500 a day for operating without license are provided.

Now if a manufacturer is producing pickle tubs, there is little chance that he would be refused a license except for "destructive wage or price cutting."

But in the case of a newspaper, editors point out that "other activities contrary to the policy of this title (act)" might well include printing material critical of it. And if the government took it that way, it would be a plain case of licensing the press and controlling its utterances by threatening to refuse a license.

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Drawn by Edmund H. Underwood

## "THE BLIND"

trators that no such use of the licensing power is contemplated by President Roosevelt.

It is not expected to be a real factor in making the publishers' code, though publishers are likely to insist on a free press clause.

That is because the NIRA is a law of congress, and not of their doing.

But anything the publishers sign, such as the code, must contain an assurance that they themselves are not giving up the constitutional right of freedom of expression. It all will be ironed out very soon.

THAT there are many other straws blowing about which indicate that the present government, like any government in power, grows restless under criticism from time to time, and wishes it had greater control over what people say and think about it.

The very reluctance of the code authorities to include a free press clause in the publishers' code, saying it was "unnecessary," led to suspicion on the part of the editors. If it was merely "unnecessary," why not just put it in, anyway? they asked.

Then along came the two "tempests in teapots" in the NRA and the treasury department. Neither was a clear case of viola-

tion of the freedom of the press, but both showed that this government is no different from any other government, Republican or Democratic, dictatorship or committee.

All try to get the kind of publicity they want, by one means or another.

GENERAL JOHNSON, after announcing that NRA was to be conducted "in a goldfish bowl," became annoyed by unfavorable statements on the workings of NRA by James True, author of a "news letter" on Washington affairs.

Johnson barred True from his press conference. This was, of course, only indirectly a restriction on freedom of the press, but such penalties cast shadows over the mind of every reporter, and none fears that his access to news sources may be closed if he does not " toe the line."

Secretary Iokes and Solicitor Margold of the interior department already had ordered subordinates in their department not to give information to newspapermen. This order was rescinded only after strong protests by newspapermen.

Then Acting Secretary of the Treasury Henry Morgenthau Jr.,

no more than succeeded to Secretary Woodin's chair than he issued a similar order, and further ordered that no statistics be issued by sections of his department except through a central board.

That included many figures and bulletins which had been issued for many years by subordinate sections of the treasury department.

THESE events, while not literally infringements on freedom of the press, show a tendency of officials to grow thin-skinned as criticism arises. And one of the basic requirements of an official under democracy is: He must be able to "take it."

Radio, which theoretically ought to have the same rights to speak facts and opinions as a publication, to print them, already is hobbled by licensing.

Radio, probably unavoidable, as the air has room for only a limited number of stations, where-as, printed matter may be produced without limit and still not exclude the other fellow from the field.

Necessary or not, the fact remains that every radio station depends on the government for its license to do business, and the result, according to H. V. Kal-

(THE END)

## ROUNDING ROUND THEATERS WITH WALTER D. HICKMAN

THE Motion Picture Herald, an authentic movie journal, each year finds an answer to the question—"Who are the ten biggest money-making stars in this country?"

This year the publication asks 12,000 exhibitors to answer that question from a period starting Sept. 1, 1932, to Sept. 1, 1933.

Marie Dressler was voted the "biggest money-making star of 1932-1933," according to the results of the poll.

The others, according to the results of the poll, follow: Will Rogers, Janet Gaynor, Eddie Cantor, Wallace Beery, Jean Harlow, Clark Gable, Mae West, Norma Shearer, and Joan Crawford.

It may be surprising to note that Miss West is in eighth position. That of course is due to the fact that since the poll closed, Mae's last picture has struck its tremendous stride which put her in first place when the next poll is taken.

MISS DRESSLER for the second time gets first position as the biggest money drawing star in the business. Of course Greta Garbo is missing from the list because she "tang I go to Sweden."

Ernest A. Rovestad, managing editor, in sending the result of his remarkable poll, states:

"Miss Dressler repeated the victory she won in the 1931-32 survey. Will Rogers was ninth in that poll and Miss Gaynor second."

Keith's theater is closed until a new policy is decided upon. The theater first reopened as a second-run house, and then for a short time before closing went into a first-run house, changing twice weekly. James Kennedy was manager of Keith's. He says that a new policy will be formulated.

Mr. Close asserted that President Roosevelt was elected "because he fooled the people by not telling them what he would do."

"The President is telling you now what is going on in this country," he said, and predicted that the people are going to be divided on the question of going the entire way with him.

He stated that the President, for diplomatic reason, can not tell us what is going on in the Pacific, but we will by April of this year, or in 1936 when treaties expire.

NERVOUS BREAKDOWN SCOUTED BY DOCTOR

Judge Rules Defense May See All Evidence State Has.

By Times Special

CHICAGO, Jan. 6.—Defense and prosecuting attorneys maneuvered today for advantage in the trial of Dr. Alice Wynekoop, once prominent physician, on charges of murdering her daughter-in-law, Rheta.

"It is to be noted that feminine and male players alternately shared the first eight rankings in the current survey.

"The period covered was Sept. 1, 1932, to Sept. 1, 1933, and 163 players were ranked by the exhibitors. Ranking was determined by the total number of citations received by each player.

Exhibitors were asked to make their nominations solely according to the box office strength of the pictures in which the players were featured.

The pre-trial legal skirmishing centered around evidence seized by the state's attorney's office. Defense attorneys listed twenty-five items which they declared were taken from the Wynekoop home without a search warrant.

Judge David denied a demand that the state return the articles, but ordered that the defense attorneys be allowed to inspect all the evidence in the state's possession next Monday.

The exhibitors' choice also indicates the type of product preferred by the public. Five of the ten winning players appeared for the most part in comedy-dramas, three in drama, two in comedy.

Players in so-called western pictures also received a number of citations.

The scenes were compiled and supervised by Samuel Commins, assisted by Edward Gellner and Louis Goldberg, from official war films. It was released by Jewel Productions, New York City.

Q—How many trained and untrained nurses are there in the United States?

A—The 1930 census enumerated 294,189 trained and 535,443 untrained nurses.

Q—Where are the Pocono mountains?

A—In the eastern part of Pennsylvania, between Stroudsburg and Scranton.

Q—How many children did General Robert E. Lee have?

A—Seven: George Washington Curtis, Mary, William H. Fitzhugh, Agnes, Annie, Robert Edward and Mildred.

Q—Name the Chinese minister to the United States.

A—Mr. Sao-Ke Alfred Sze.

Q—What was the Dorr rebellion?

A—It was the outcome of an essentially demo-

cratic movement in one of the last strongholds of conservatism, on the question of manhood suffrage.

On May 3, 1842, the "suffrage legislature" assembled at Newport, R. I., with Thomas W. Dorr as Governor. King, the legitimate Governor, proclaimed martial law. The suffrage party appealed to arms. Their troops were dispersed and Dorr died.

Q—Was Henry VIII peculiarly tall?

A—He was nearly 6 feet 4 inches.

## LIKENS EUROPE TO AN OLD MAN

Upton Close Says Continent Has Too Much Past and No Future.

"Europe today is like a senile old man—too much past and no future."

That was the statement of Upton Close, newspaperman and an authority on Asia, made before a Town Hall audience at English's yesterday.

He maintained it made no difference to the future of America what Europe does as "we are not going to get messed up with her again."

"As England enters into secret negotiations with Japan, that is vastly more important on our future than our negotiations with England or Japan," he said.

He declared that "our front door now is the Pacific and not the Atlantic" and that events to come very soon around that front door will shape the future destiny of this nation.

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