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## The Indianapolis Times

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Give Light and the  
People Will Find  
Their Own Way

MONDAY, FEB. 5, 1934.

## PRETTY PICTURE?

**A**N Associated Press photograph presents a Lake county group in which Prosecutor Robert G. Estill appears with a comrade arm about the shoulders of John Dillinger.

It may strike a public prosecutor as good publicity to be photographed in this brotherly pose with a defendant he is sworn to do his best to send to the electric chair.

But how does it strike citizens of a nation that is trying to raise its administration of criminal justice above the level of a game and put a wholesome fear of law into gangsters, kidnapers and killers who have thought they could beat the law by treating it as if it were a game?

Does a prosecutor with this quaint notion of publicity do prosecution in these United States much good?

## PATRIOTTEERING PROFITS

**W**ITH increased war preparations costing upward of a billion dollars in prospect, congress should give serious consideration to taking the profits out of war and out of preparedness.

After every war and every preparedness drive there have been revelations of profiteering by the munitions and arms patriots. Government investigation showed that United States Steel in the period 1915-18 made a profit in excess of 50 per cent. Bethlehem Steel in 1917 paid a 200 per cent dividend. Du Pont during the war sold to the government at 49 cents a pound powder which cost 36 cents. The three companies still building most of our naval ships—Bethlehem, New York and Newport News shipbuilding companies—were caught by the White House and congress in the notorious Shearer case breaking up the arms limitation conference.

After international investigation, the League of Nations subcommittee reported the following objections to private manufacture of munitions and armament:

That armament companies foment war scares, bribe government officials, disseminate false reports on relative military and naval strength to stimulate armament competition and expenditures, try to influence and control newspapers, and organize international armament trusts and rings which play one country off against another.

In view of these widely known facts as to the pernicious activities and profiteering of the arms traffickers, it is surprising that the house naval committee reported out bills giving no protection to the government and public.

Over the protest of Chairman Vinson of the committee, the house adopted two amendments: one providing that half of the naval vessels shall be built in government yards, and the other limiting profits of private contractors to 10 per cent. Under Senator Bone's amendment just accepted by the senate committee the accounts of private contractors would be turned over to government inspection.

We think congress should take the profits out of preparedness, in the interests both of economy and of peace. But if the government continues to subsidize these giant industries, which have always played the government for a sucker, we suggest that their patriotism might be purchased for a 7 per cent profit. The average taxpayer who has to pay this bill will agree that that is enough.

## MR. JUSTICE BRANDEIS

**W**ITH the electorate enthusiastic over the new deal, congress going along with it, and even most business groups supporting it, the fate of the experiment rests largely with the supreme court.

At first there was general fear that the court would break it. Since the recent decision in the Minnesota case, the court is expected to uphold basic parts of the new deal legislation by a five to four vote. If that happens, it may not only save the recovery laws but also the prestige of the court—for plainly America today is in no mood to let the court stand in the way of progress.

The man most responsible for the new enlightenment of the supreme court is, of course, Mr. Justice Brandeis.

It is a commonplace that the supreme court makes laws and makes the Constitution. As Mr. Hughes once expressed the fact before he became chief justice: "We are under a Constitution, but the Constitution is what the judges say it is."

For a long time the supreme court has been dominated by a reactionary majority of judges who put property interests above human rights. In the Wilson administration there was a bitter fight to prevent confirmation to the court of Louis D. Brandeis, famous as "the people's lawyer."

Since going on the bench, he has continued to interpret the law in the light of the people's interest. Long in the minority, he has gradually leavened the court lump and the whole American conception of law until the minority seems now about to become the majority.

This vastly important story, along with the earlier career of the lawyer who first exposed the insurance, railroad and banking racket of high finance, is ably told by Alpheus Thomas Mason in his book, "Brandeis: Lawyer and Judge in the Modern State." (Princeton University Press.)

Perhaps the most valuable contribution by Dr. Mason is to point out that Justice Brandeis in his philosophy is not a radical and not a Socialist, but an old-fashioned Democrat trying to apply ancient principles to contemporary industrial civilization. The author says:

"Radicals call him conservative; conservatives damn him for an anarchist-radical. No such labels fit. Justice Brandeis is rather an individual Democrat of the Jeffersonian type . . . He believes so strongly in private property that he wants to see it more equitably

diffused among the masses of men. He values private capital so highly that he would make it available to the independent entrepreneur, rather than have it monopolized and controlled by a money trust."

There is considerable doubt that Justice Brandeis' specific philosophy is prophetic or enduring; extremely doubtful that society will turn back from large-scale production and distribution units to smaller and simpler forms of small business.

But there is little doubt that Justice Brandeis is prophetic and one of this century's great benefactors in his method of changing law from a static form to a living force, and of basing it on economic realities instead of legalistic mumbo jumbo.

He has given a method and a weapon with which the future can go beyond present achievements, go beyond him. By that severest of tests, Mr. Justice Brandeis is a very great man.

## WATCH YOUR DRIVING

**O**NE of the queerest things about automobile traffic is the fact that whenever there is a spell of nasty winter weather, which coats the streets with ice and makes driving extra-hazardous, one is almost certain to find the accident rate dropping abruptly.

A good-sized city—larger than Indianapolis—gave a graphic illustration of this last month.

Its police traffic department is undermanned, and it does not ordinarily keep its traffic situation very well under control. Since the start of the year, fatal automobile accidents had been occurring at the rate of about one day.

Then came a violent cold spell. The streets were icy, treacherous; snow flurries filled the air, cutting down the vision of drivers and pedestrians alike, and adding an extra risk to the situation.

And immediately the city's accident rate dropped to an astoundingly low point. Instead of killing some one every day, its motorists killed no one at all—until the storm had passed and traffic conditions became safer.

In this startling reversal of logic there is a neat little moral for motorists all over the country.

It is pretty clear proof that auto accidents do not come from dangers inherent in the flow of traffic. They come simply because motorists and pedestrians take risks that they have no business to take.

When the streets are dry, and every car can be kept under perfect control, and drivers and pedestrians alike can see without difficulty in every direction—then is the dangerous time.

Motorists drive too fast, they cut in and out of traffic lanes, they try to beat the other fellow across intersections. Pedestrians trust to their nimbleness of foot to dart through lines of heavy traffic. The result, of course, is that many people get killed and a far greater number gets maimed.

But when bad weather comes, so that it's hard to stop a car suddenly, and the footing is uncertain—well, then we get wise to ourselves and stop taking chances, and, as a result, accidents diminish.

If we could take the trouble to be as careful when conditions are favorable as we are when they are unfavorable, our auto traffic toll would cease to be a national scandal.

## HEALTH HAZARDS

**S**OME of the work and money that is going into the project of making over America should be directed to plumbing.

Scientists have just discovered that last summer's outbreak of amebic dysentery in Chicago was caused by sewerage contamination of the water supply of two hotels. This is a danger which may confront us at any time in any city of the country.

But an even more serious danger lies in the millions of homes in both city and country where either there is no plumbing or any kind of plumbing facilities are inadequate.

Ingenious new dealers can certainly find some practical way of lessening this hazard to the health of the country in formulating their business-revival and job-giving programs.

## FATAL RELICS OF WAR

**M**INES put into the sea during the World War still are afloat. A Finnish steamer recently found one in the Baltic sea and had it destroyed. Since the war one Swedish naval officer has found and destroyed more than 350 drifting mines—hideous engines of death, waiting to slip into the paths of unsuspecting ship captains.

That such hazards still exist on the high seas is rather shocking to one's sense of security. But when you stop to think about it, the wonder is that there are not more of them around to cause tragedies.

Mines were tossed into the water in an inscrutable prodigal manner during the war. When the armistice arrived, the allied navies spent months picking them up; but in the very nature of things it was inevitable that they would miss a great many.

The world really is very lucky that these derelict mines have not proved a far greater hazard to post-war ocean traffic.

U. S. weather bureau warns us that white lightning is more hazardous than the brilliant red flashes—especially when the white stuff comes in a bottle.

The height of your forehead has nothing to do with your race, sex or intelligence, says a scientist. No fair, however, if your forehead reaches back to the nape of your neck.

What delayed President Roosevelt so long on setting the dollar's value at 50.06 cents must have been that .06 part of the cent.

A minister of Roscommon, Mich., supports himself and his church by maintaining a flock of sheep, since his regular flock has failed to produce.

By ordering all German women to wear uniforms, Hitler will get them to quit their jobs faster than if he had fired them.

Only one couple out of nine in this country stays married, where there are no children, say the experts. The one couple and those having children fight it out to the last gasp.

"Everything I have is yours," crooned Rudy Vallee the other night. But he didn't think his wife would take him so seriously.

## FAIR-FASHIONED HOSIERY

**T**HE National Labor Board seemed to have a hopeless task on its hands last summer when problems of the hosiery industry were laid before it by the workers. For years strife and violence had prevailed and there seemed no disposition to settle matters in any other way.

Today an agreement covering the whole full-fashioned hosiery industry from New England to Wisconsin has been signed. Thirty thousand workers are covered by it. It fixes wages for a definite period during which all manufacturers may accurately calculate their labor costs and workers may calculate their incomes. It provides for a closed shop—or employment of none but union members—and for arbitration of all disputes which may arise.

Anti-labor manufacturers in other industries who insist on forming company unions and preventing their workers from organizing with workers of other plants will never experience the stabilizing effect on their industry of such an agreement. They will continue to compete among each other on pay roll costs, one of the most important items on their ledgers.

And as long as they continue this attitude they will fail to experience the maximum amount of benefit from NRA. The act was passed in response to a desire of business men to agree among themselves on hours and wages and other industry costs, to eliminate unfair competition.

But their codes only give them a uniform wage scale so far as lowest paid workers are concerned. Stability as to the greater part of the pay roll can come only through collective bargaining with workers. And the farther the bargaining groups extend through an industry the less danger there is of unfair competition.

If the troubled hosiery industry can learn this lesson, other industries may in time learn it also.

People should be made happy, whether they like it or not, says Marie Dressler. She's one of those actresses who make us cry for joy.

A bill for unemployment insurance has been introduced in the New York state legislature. Employment insurance would be better.

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