

# SUPREME COURT'S VERDICT ON OIL CASE IS HAILED AS GUIDEPOST FOR NEW LAWS

Path of New Deal Legislation Cleared and Lighted by High Tribunal's Decision on NRA Provision.

BY HERBERT LITTLE  
Times Staff Writer

WASHINGTON, Jan. 9.—The path of legislation to continue and extend the New Deal's industrial and farm features along present code lines was cleared and lighted today—the result of the Supreme Court's Panama-Amazon oil decision.

The court at once turned to the Roosevelt Administration's monetary policy as its next order of business. It opened arguments on the gold devaluation cases with Attorney General Homer Cummings presenting the Government's side in

## WABASH PUBLISHER DECISION REVERSED

### Late Don Nixon Cleared of Contempt Charge.

The Indiana Supreme Court today reversed the contempt of court conviction of Don M. Nixon, deceased publisher of the Wabash Plain-Dealer and Times-Star, several months after Mr. Nixon's death.

He pointed to a "very clear distinction" made by the court between the lack of regulatory standards in the powers granted by the oil regulation paragraph of NRA, which the decision invalidated, and the code sections which grant similar authority but only upon "certain express conditions which require findings by the President," according to Chief Justice Charles Evans Hughes' opinion.

#### Orders Held Invalid

The court did not, however, formally rule on the authority for codes. It held that the oil regulation paragraph, section 9C, was an unconstitutional delegation of legislative power to the President. The President's executive orders issued under 9C were held invalid.

According to legal experts, the decision also set up definite guidelines for Congress to follow in delegating powers. First, an act must define the policy which the President or agency is to carry out. Second, it must state a general standard, or set of limits, for executive action under any such delegation.

"The anti-NRA fellows can't get any consolation out of the decision," Senator Wagner commented.

Donald R. Richberg, National Emergency Council director and another author of the act, and Blackwell Smith, NRA's acting general counsel, voiced similar views.

#### "Good Advice" Says Smith

"Good advice at the right time," said Mr. Smith on behalf of the National Industrial Recovery Board. He welcomed the decision as "a partial guide for preparation of impending industrial legislation."

An important point was made by Justice Benjamin N. Cardozo pointing out that the crux of oil regulation—the power to regulate production—was not involved in the two cases from East Texas. He differed from the majority only in holding that the recovery act does not prescribe sufficiently the policies to be followed in carrying out the powers delegated in section 9C.

On Capitol Hill, Senators pointed out that 9C was not in Senator Wagner's original draft of NRA. It was added by a floor amendment.

#### AUTO SALESMEN SEEK TO FORM ASSOCIATION

Hope to Prevent Resumption of Work on Sabbath.

An attempt to form an association of auto salesmen will be made at 7 tonight at the Antlers. More than 400 salesmen are expected to attend the meeting.

The purpose of the association, if it is formed, will be to retain the features of the National Industrial Administration code for the automobile retail trade.

The salesmen are principally concerned, leaders in the movement said, over the resumption of open Sundays in practically all salesrooms after a period when the show rooms remained closed by common agreement of dealers.

#### CREDIT UNION HEARS FARM BUREAU OFFICIAL

Music Features Entertainment for Employees' Groups Meeting.

Old-time melodies featured the entertainment program last night at the Farm Bureau Employees' Credit Union fourth annual meeting at Occidental Grill. Boy Scout trumpeters and the Ginger Snaps, a junior orchestra from the Music Masters School of Music, played.

J. H. Hull, Farm Bureau Cooperative Association manager, spoke on the credit union of the future and C. H. La Salle, insurance service department outlined the progress of the union in Indiana.

#### CITY BUILDING SHOWS GAIN OVER LAST YEAR

\$60,000 More Being Spent on Construction, Permits Indicate.

Estimates of Indianapolis building operations for which permits have been issued during the first week of 1935 show an increase of more than \$60,000 over the comparative period last year. Work estimated at \$107,357 was started as against \$40,401 last year. Twenty-five fewer permits were issued.

#### Catching COLD?

Quick! Just a few drops at the first sneeze or nasal irritation. Used in time, Vicks Vapo-Rol helps to avoid many colds.

Vicks Vapo-Rol  
for nose & throat  
Helps PREVENT many colds

## Young City Couple Died Accidentally of Fumes, Says Coroner's Verdict

### Failure to Open Ventilator in Cabin Responsible, Is Verdict.

Failure to open the small ventilator in the roof of the tiny one-room cabin at the Tall Timbers tourist camp, near McCordsville, in which their bodies were found, today was held responsible for the deaths of Eugene J. Fulke, 20, of 93 E. Tabor-st., and his 20-year-old sweetheart, Miss Mary Bisesi, 4005 S. Keystone-av., yesterday.

That decision was reached last night by Dr. Paul Allen, New Palestine, Hancock County coroner following an investigation of the circumstances surrounding the renting of the cabin by the young couple, who registered as "Mr. and Mrs. Edwards" of Indianapolis.

Dr. Allen, who is a dentist, reported that death was caused by accidental poisoning and suffocation from inhaling natural gas fumes.

The natural gas heater in the cabin was burning when Frank B. Colvin, camp manager, broke in the door of the cabin yesterday morning after the young couple had not been seen outside since 11 Monday morning.

The camp manager said the young couple arrived at the Tall Timbers tourist camp at 8 Sunday night. They had visited the camp on other occasions, he said. Monday morning an employee went to the cabin and knocked. The young couple protested because they had been disturbed, Mr. Colvin said.

They arrived at the camp in a Plymouth coupe, belonging to the young man's father.

Miss Bisesi and Mr. Fulke were lifelong residents of Indianapolis. Miss Bisesi attended Holy Rosary Parochial School and St. Mary's Academy. She attended St. Catherine's Roman Catholic Church. Her father, Gus Bisesi, is a commission merchant. Her mother, Mrs. Angelina Bisesi, died 13 years ago.

Besides her father and stepmother, Mrs. Bertha Bisesi, she is survived by two sisters, Miss Josephine Bisesi and Miss Magdalene Bisesi; three brothers, Gus Joe Bisesi, Joe Bisesi and Mike Bisesi, and her grandparents, Gus and Mary Bisesi, all of Indianapolis.

Mr. Fulke was the son of Mr. and Mrs. Jesse F. Fulke. Survivors are the parents; a sister, Miss Melba Fulke, 25, and a brother, Edward C. Fulke, all of Indianapolis. Mr. Jesse Fulke is in the gasoline business. Young Fulke attended School 34 and Emmerich Manual Training High School and was a member of the Barth Place Methodist Episcopal Church.

Preliminary identification of the bodies was made from a small metal souvenir pocket-piece found in the pocket of Mr. Fulke's trousers.

The names "Eugene Fulke—Mary Bisesi" were engraved on the

slain in India Riots

BOMBAY, India, Jan. 9.—Seven Mohammedans were killed and 20 injured yesterday when police fired on 300 rioting natives at Ajra.

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