

# CONFUSED NATION SURVEYS WRECKAGE OF FARM LAW HIT BY COURT'S DECISION

All Hope for Revival of Act Under Present Conditions Believed Gone; Roosevelt Forces to Ask \$250,000,000 for Benefits.

(Continued From Page One)

scrambled President Roosevelt's new budget, which made no allowance for the loss of processing taxes.

Down with AAA fell his cousins—special control for tobacco, sugar, potatoes and cotton. Many believed the decision jeopardized New Deal policies due soon for court review, including the Tennessee Valley Act, upon which the court may rule next Monday.

In the absence of definite announcements from the New Deal, observers searched the known positions of President Roosevelt for some hint of the future.

As recently as Friday night, in his "state of the union" address, Mr. Roosevelt expressed determination not to abandon farm aid.

"Shall we say to the farmers the prices for your products are in part

restored, now go and hoe your own row?" he asked.

After referring directly to "adjudication by the highest tribunal," he added, "The Congress has the right and can find the means to protect its own prerogatives."

## Developments Outlined

Out of the confusion of the first numbered reaction to the court's crushing blow emerged a number of possible developments:

1. Awaiting for a constitutional amendment to give Congress powers now denied it, particularly to control crop production.

2. Adoption of an equalization fee, an export debenture, or a domestic allotment plan, the first two often proposed during Republican Administrations.

3. Separation of processing taxes from production control provisions.

4. Proposals to curb the power of the Supreme Court to invalidate acts of Congress.

5. Enactment of state crop reduction programs under Federal subsidy.

6. A popular clamor for or against drastic Federal action.

## White House Is Silent

Notable was the silence from the White House, where the chief executive conferred with his farm aids.

Official and political comment was as confused and divided as reaction in farm villages, in cities, in towns.

Surviving the wreckage, they found that all control of agricultural production was barred. All hope for reviving an AAA under present conditions was gone. It seemed inevitable that other laws regarded as important would be hurled along the same pathway of unconstitutionality.

As its first move to bring some order out of the chaos caused by the Supreme Court's decision, New Deal leaders at a White House conference last night decided to sponsor a bill to appropriate about \$250,000,000 on which the government is already committed for crop reduction next session.

It was expected to be a matter of days before a White House opinion on permanent strategy would be forthcoming.

The effect of the 6-to-3 decision by which the court struck down the Administration's basic farm aid statute was so momentous that issues considered of tremendous interest a few hours before were almost forgotten.

## Benefit Payments Stop

In rigorous adherence to yesterday's decision, the Administration overnight stopped, temporarily at least, all benefit payments and collection of processing taxes under the Agricultural Adjustment Act.

The pay of 6646 AAA workers was stopped, as was any immediate payment on \$282,910,348 or more of money due farmers on 1935 crop reduction contracts. The proposed appropriation would discharge some of that obligation.

The decision threw into uncertainty the status of processing taxes collected under the law. They totaled \$963,073,612 to Jan. 3. At that time an additional \$201,000,000 was held in escrow in the courts where processors fought against making the payment under the amendments to the original AAA.

The status of the latter fund probably will be decided by the courts in the pending rice case.

The decision had a paralyzing effect on Washington. For months the source of action, Washington received an ear to the rest of America to learn how the country's millions reacted to the news.

## Green Demands Action

Senator Edward P. Costigan (D., Cal.), who is sponsoring a constitutional amendment to give Congress the broadest powers over industry and agriculture, said the decision imposed on Congress "the imperative obligation of submitting to the states a constitutional amendment which will permit adaptable Federal legislation if and when it is required by the general welfare to cope with such bitter peace-time crises as our people have experienced."

"It is inconceivable," Mr. Costigan said, "that a Congress which is empowered to declare war with all this implies will be content to remain powerless to deal with economic disorders which if unremedied may force the nation into paths as difficult and disastrous as war."

President William Green of the American Federation of Labor said the decision made "the necessity for an amendment to the Constitution more imperative."

ST. PAUL PIONEER PRESS—There will be impatient, rash persons who will tell the farmers that the decision condemns them to subordination to industry. The farmers will not give heed to such counsels against the Federal organization of this country.

LOS ANGELES TIMES—The whole legislative structure which the President and Congress have erected during nearly three years comes tumbling down. The blame, however, rests not upon the court, but upon an Administration which, in spite of all warnings, persisted in an attempt to enlarge its authority.

SAN FRANCISCO CHRONICLE—No leg is left for the AAA to stand on. If other New Deal acts go out, as the present ruling indicates they will, and if they are revived under the general taxing power, everybody will be taxed to make everybody rich. It is the final absurdity of the New Deal.

PORTLAND, ORE., OREGONIAN—The court's decision, by analogy, carries down with it so much other legislation as to point the complete and final wreck of the New Deal.

KNICKERBOCKER PRESS, ALBANY, N. Y.—Many of us have not realized how far ahead the Roosevelt Administration has strayed. It is therefore salutary for the Supreme Court to remind America again that an Administration born of hysterical voting has no right to violate the sacred principles of our Constitution.

MARION COUNTY FARMERS, FATHER AND SON, STUNNED BY AAA DECISION



Father and son... dirt farmers... reading of the AAA death blow.

In the barn, similar to thousands of others in Indiana, Fred and Albert Steinmeier, father and son, mull over the United States Supreme Court decision wiping out the AAA which had increased their income.

Even the pigs squealing in the barnyard in the assurance that in recent times they were worth more than 3 cents a pound on the hoof seemed a bit apprehensive.

Ted, the braying ass, "stomped" near the barn door as Albert Steinmeier swung a hefty pitchfork bedding down the cattle and talked about what the corn-hog and wheat contracts under AAA had meant to his family and neighbors.

Nearly by the father, for 60 years a tiller of the soil in Marion County, pitched corn from a crib into a wagon and shook his head in puzzled fashion when asked what would happen now.

"There isn't a farm around here, except ours, that isn't mortgaged. But all of them are beginning to come out of the depression. We made a little money last year—our first in five years. We've lost money all around here and now—I guess it's between \$2000 and \$3000 owing us—I couldn't sell that paper for 10 cents on the dollar," the stalwart 72-year-old farmer said as he fingered an ear of corn and shook his head disconsolately.

War Seems to Be Legal  
"The only good times we had was during the World War. We don't want another war. But it's a wonder the Supreme Court don't call war unconstitutional. Politics! That's all it is! Roosevelt did something for the farmer and he's the only one that did. Sure my son and I are Democrats, but politics

don't mean a thing when it comes to being for the AAA. Republicans—we've got them in this town—are for it," the father added.

"Ted," the farm's rebel, brayed and kicked at a barn door as the pitchfork of the son, Albert, halted in midair and then grounded and the son added his thoughts.

"You see last year we got about \$900 out of our corn-hog and wheat contracts. Do you know what that bought? Well we needed a new binder and tractor and that cost \$1050, more than we got from the government. Then we spent about \$70 painting up things—and of course the women folk needed things around the house. They got them. It helped my girl on her tuition at Butler."

"I don't like what they've done to us, but I have to. I guess," he added as he tried to be philosophical about it.

"You know it wasn't the contract money, the \$900 they gave us for only raising so many pigs and so much corn and wheat that counted. We didn't need that. It was the

prices. Why I remember 15-cent corn. You do, too! Hogs down to almost a price where it would be cheaper to just feed and let them die of old age than to butcher and kill them. Now we been getting good prices. But—what'll happen now?"

"Ted," the farm's cut-up, brayed another one of his razzing notes.

"Better watch that mule. He'll be trying to make a break for it," advised the father.

A white pig squealed as one of Ted's hoofs lashed out as he jumped a barnyard puddle. The wise eyes of a white cockerel perched on a fence near the two men blinked and blinked.

The gray day seemed grayer. The corn tossed in the wagon-bed by the father thudded dully. Albert's pitchfork lifted with less zest as he handed back a newspaper telling of the Supreme Court decision banning corn-hog contracts.

## Politics, Retort Hoosier Farmers to AAA Ruling

Fred and Albert Steinmeier, Father and Son, Puzzled by Blow to Law So Helpful to Them.

BY ARCH STEINEL

Legal lightning, generated in a marble temple of justice in Washington, hit a red barn atop a hill on Allisonville-rd., leaving two Indiana dirt farmers with a \$900 hole burned in their pocketbooks. "Politics!" was their comment.

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## STONE DISSENT IS HELD BOON TO ROOSEVELT

Minority Opinion Would Be Help If Court Is Made Issue, Is View.

(Continued From Page One)

Roberts led the conservative attack which wrecked the first railroad pension bill. He voted against NRA but in support of the New Deal in the gold cases. Until he came to the bench, the man from Pennsylvania was best known as the oil scandals prosecutor of Harry F. Sinclair and Albert B. Fall. He is 60.

## Holds Judicial Power Abused

There were no Supreme Court mourners last spring for the Blue Eagle and NRA. The National Recovery Administration went down 9-to-0 before the court of last resort. But there was dissent yesterday when Mr. Roberts read the Agricultural Adjustment Administration into the junk pile.

The theme song for reform of the courts or amendments to Constitution or something more abrupt and painful—seemed to be written into the dissenting opinion.

"So may judicial power be abused," was the solemn warning of Associate Justice Harlan F. Stone who read the dissent in behalf of himself and Justices Louis D. Brandies and Benjamin N. Cardozo.

"The only check upon our own exercise of power," said Justice Stone, "is our own sense of self-restraint."

For the removal of unwise laws from the statute books appeal lies not to the courts but to the ballot and to the processes of democratic government.

Against Mr. Stone's warning that the courts are not justified in assuming sole protection for our institutions, Mr. Roberts argued that the courts do not in fact pass judgment on the wisdom of congressional acts but must apply to them the test of their rightness under limitations of the Constitution. Mr. Roberts insisted that this question the courts must "decide."

He refused to consider the argument that AAA could be substantiated under the constitutional authority for Congress to "provide for the general welfare." Justices Stone, Brandies and Cardozo challenged him there.

But the issues raised extend far from the bench to the grass roots and it is there they probably will be settled either in the presidential campaign this year or later. Reasonably certain it is that they will be settled. Mr. Stone uttered grave warning of possible consequences of that settlement if the Supreme Court stands fast in the position assumed yesterday.

## Greater Danger Is Feared

"Interpretation of our great charter of government (the Constitution)," he said, "which proceeds on any assumption that the responsibility for the preservation of our institutions is the exclusive concern of any one of the three branches of government, or that it alone can save them from destruction is far more likely, in the long run to obliterate the constituent members of our inalienable union of free and inalienable states than the frank recognition that language, even of a Constitution, may mean what it says."

"That the power to tax and spend includes the power to relieve a nationwide economic maladjustment by conditional gifts of money."

The sharp touch of sarcasm gave hint of the antagonisms aroused in the court as in the nation by the challenge to AAA.

"That the governmental power of the purse is a great one is not now for the first time announced," Mr. Stone insisted. "The suggestion that it must now be curtailed by judicial fiat because it may be abused by unwise use hardly rises to the dignity of argument."

## Sees Absurd Consequences

He contended that AAA was outlawed not because its taxes were unlawful but because the majority held that Congress could not impose conditions upon the persons to whom the tax money was passed on—in this instance farmers who received it on condition they would curtail crops. Mr. Stone said that limitation "must lead to absurd consequences"—and he cited them in staccato series:

1. "The government may give money to the unemployed, but may not ask that those who get it shall give labor in return, or even use it to support their families."

2. "It may give money to sup-

## OFFICIAL WEATHER

United States Weather Bureau

Jan. 7, 1936

Temperatures

7 a. m. 49 1 p. m. 53

4 a. m. 32 10 a. m. 32

8 a. m. 32 12 (noon) 34

9 a. m. 31 1 p. m. 34

Barometer

7 a. m. 30.42 1 p. m. 30.46

Precipitation 24 hrs. ending 7 a. m. .06

Total precipitation since Jan. 1 .21

Deficiency since Jan. 1 .31

OTHER CITIES AT 7 A. M.

Station Weather Bar. Temp.

Albuquerque, N. M. Clear 30.42 30

Bismarck, N. D. Clear 30.40 16

Boston Cloudy 30.08 34

Chicago Cloudy 30.48 32

Cincinnati Rain 30.40 36

Denver P. Cloudy 30.22 16

Dodge City, Kas. P. Cloudy 30.46 10

Helena, Mont. Clear 30.14 16

Little Rock, Ark. Cloudy 30.36 35

Los Angeles Clear 30.38 30

Manila, P. I. Clear 30.20 34

Minneapolis Clear 30.56 12

Mobile, Ala. Cloudy 30.10 64

New Orleans Cloudy 30.06 62

Omaha, Neb. Cloudy 30.18 34

Oklahoma City, Okla. Cloudy 30.40 28

Portland, Ore. Clear 30.44 36

Portland, Me. Rain 29.82 44

San Antonio, Tex. Cloudy 30.08 34

San Francisco P. Cloudy 30.06 46

St. Louis P. Cloudy 30.30 38

Tampa, Fla. Cloudy 30.20 68

Washington, D. C. Cloudy 30.28 34

## MINTON SCORES SUPREME COURT FOR AAA RULING

Hoosier Senator Delivers Caustic Comment on New Deal Upset.

(Continued From Page One)

in law between a tax for the benefit of manufacture and a tax for the benefit of agriculture," Mr. Robinson said.

## Norris Asks Amendment

Senator George W. Norris (R., Neb.), suggested that a constitutional amendment "may be the way out."

William Green, president of the American Federation of Labor, joined in that suggestion.

Senator Edward P. Costigan (D., Colo.), said "the decision is so sweeping as to impose on Congress the imperative obligation of submitting to the states a constitutional amendment which will permit adaptable Federal legislation if and when it is required by the general welfare to cope with such bitter peace time crises as our people have experienced."

Other comment included: Senate Republican Leader Charles McNary, Ore.—"If the AAA is dead, it's dead as hell and something will have to be done about it."

## Must Find Remedy

Speaker Joseph W. Byrnes—"The AAA was the most important legislation passed by Congress in years and if there is any way to replace it under the Constitution it should be done."

Chairman Robert L. Doughton of the House Ways and Means Committee—"It will be a great calamity... if Congress does not find some way in a constitutional method to take care of the farmer by legislation."

Senator John H. Bankhead (D., Ala.), Author of the Bankhead Cotton Control Act. Knocked Out by the Decision—"I believe a remedy can be worked out by passing laws separating the processing tax features from the production control provisions."

Rep. Marvin Jones (D., Tex.), Chairman of the House Agriculture Committee—"We will have to get appropriations to pay the farmers who carried out the adjustment contracts in good faith."

## It's Terrible Blow

Senator John Overton (D., La.)—"It's a terrible blow."

Rep. Lindsay Warren (D., S. C.)—"It's a sickening and saddening blow to the farmer."

House Majority Leader William B. Bankhead (D., Ala.)—"It is distressing and disappointing."

Rep. Percy L. Gassaway (D., Okla.)—"We will just have to build us another one."

Senator Richard B. Russell Jr. (D., Ga.)—"The court's action means Congress will be here two months longer trying to figure out a way to pay these contracts."

Senator Royal S. Copeland (D., N. Y.)—"Any measure that did so much to increase the cost of living in our cities could not possibly run the gauntlet of the Supreme Court."

Rep. Hamilton Fish Jr. (R., N. Y.)—"It is now up to the Republican Party to provide some sound, clear program for the benefit of the farmers."

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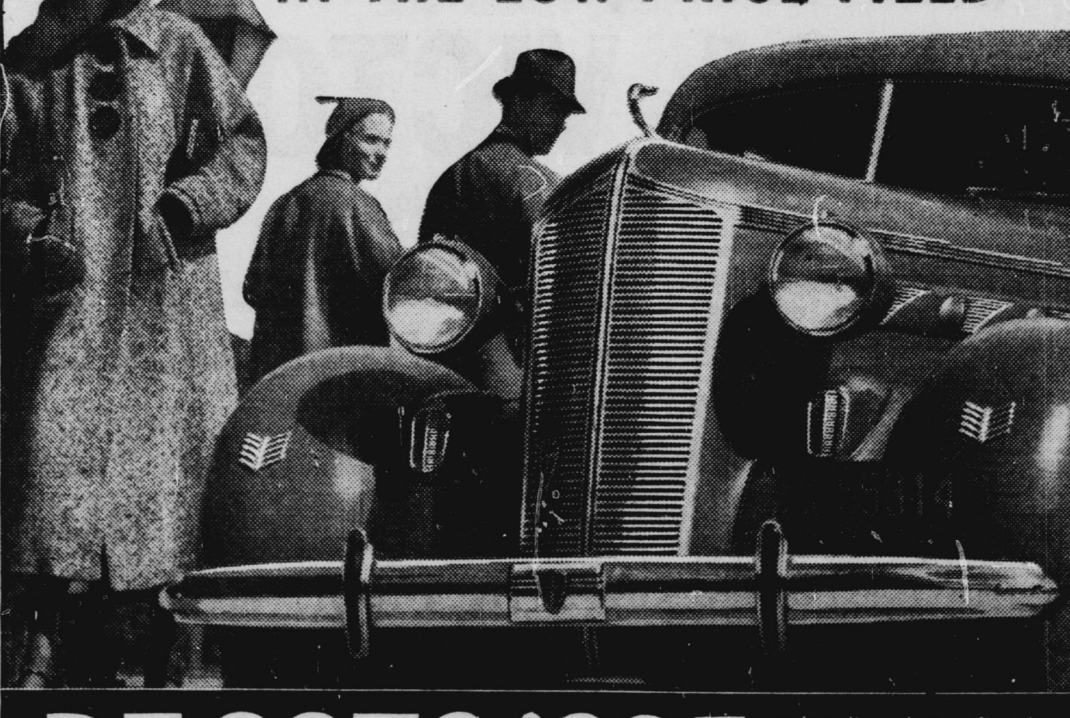
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