

CHEAPER POWER FOR U. S. IS FORESEEN WITH TVA RULING; KNOXVILLE JOYOUS AT NEWS

2,000,000 People in Seven States Are Affected by Decision.

By ROBERT W. HORTON
Times Special Writer

WASHINGTON, Feb. 18.—Cheaper light and power for the homes and factories of the United States were a long step nearer today.

This is the broad implication of the Supreme Court decision upholding the Tennessee Valley Authority's constitutional right to sell electric energy and to acquire transmission lines for carrying it across country. Seventy-seven per cent of the population in TVA's immediate sphere of influence is rural, and 98 out of 100 farms in the area lack electricity, though three private utility companies have been in the valley for years.

Had the court knocked out the act, it is admitted generally that electric lights in this area would have been delayed as much as 50 years. The Supreme Court decision potentially puts a light into every farm window in the valley, as well as into the chicken coops, and provides power to operate farm machinery.

More than 2,000,000 persons in seven states are directly affected by the decision.

Cheap Current Made Possible

The TVA has made possible for the first time in this valley cheap electricity for washing machines, refrigerators, toasters and other appliances which make life easier. In doing this, TVA has reduced electric rates as much as 60 per cent, with sharp reductions following from the private utility corporations. Such reductions have amounted to approximately \$50,000,000 throughout the country in six months.

Not only the consumer has benefited, for the power companies themselves have shown enormous increases in their sales of power and appliances.

Electric consumption in Tupelo, Miss., has increased 100 per cent in 17 months; Alcorn County, Miss., 164 per cent in 13 months; Athens, Ala., 200 per cent in 13 months; Pontotoc County, Miss., 215 per cent in 13 months.

Old Battle Renewed

By HERBERT LITTLE
Times Special Writer

WASHINGTON, Feb. 18.—The century-old battle of the judicial power was renewed today with the Supreme Court's 8-to-1 decision in favor of TVA.

Chief Justice Hughes and the four conservative justices took jurisdiction of the TVA case only over protests from the four others that the court had no right to step in and decide whether a power company's contract with TVA endangered certain minority stockholders. Chief Justice Hughes said in effect that "We must not be reluctant to decided constitutional questions."

Justice Brandeis, speaking also for his two fellow liberals and for Justice Roberts, said in effect that "these stockholders have no right to attack the government through a suit against their company."

Phase Is Important

The importance of this phase of the fight is shown by the fact that Justice McReynolds, only dissenter to TVA's constitutionality, could by voting with the Brandeis-Roberts group have tossed the suit out in a 5-to-4 vote without a ruling on constitutionality. But he preferred to save the judicial power to intervene.

It is the first time, according to Justice Brandeis' opinion, that preferred stockholders have been granted consideration of such a constitutional suit.

Some lawyers believe this jurisdictional ruling may open the Federal court to numberless injunction suits by stockholders against corporations for alleged failure to protect their interests from laws of disputed constitutionality. A similar device has been used by opponents of the Guffey Coal Act, in the cases scheduled for Supreme Court argument March 11.

Campaign Issue Lessened

In the political phase of the broad battle between court and Congress, however, the TVA decision, coupled with two recent decisions supporting civil liberties, is believed to have lessened the possibility of an effective campaign issue growing out of President Roosevelt's suggestion that Congress would protect its "privileges."

It is held that the TVA ruling broadens Congress' power; that the right of Congress to set up such proprietary agencies as TVA is in effect affirmed, and that the "yardstick" motive of Congress, as stated in the act but not mentioned in the Hughes opinion, will stand against the views of the Liberty League and of Justice McReynolds.

In a Mississippi "torture confession" murder case the court yesterday unanimously voided the death sentences of three Negroes. A week previously it had unanimously handed down a sweeping statement upholding freedom of the press. This attitude for personal liberties is expected to strengthen the court's popularity in many circles where its NRA, AAA and rail pension decisions had caused protest.

Provide Interesting Contrasts

The states' rights angles of these suits provide interesting contrasts. In TVA, the court specifically rules that states' rights were not invaded. It also holds that the fact there is no specific authorization for limiting production to the government's own needs is no reason for the government to be thus limited. In the AAA case, the six-man majority held that the lack of any constitutional authority for controlling acreage prevents the Federal government from so regulating, and that such regulation is a state function only.

In the newspaper and torture cases, the unanimous court overthrew a state legislature and a state court for neglecting to observe the Bill of Rights under the Fourteenth Amendment. In the recent Great Northern case, six justices cracked down on North Dakota under the same amendment for assessing a railroad too much.

The three liberals—Justices Brandeis, Stone and Cardozo—thus went along with the conservatives in asserting the court's power to override the states in enforcing personal and civil liberties; they revolted in the Great Northern and other leading cases when only property rights were involved. In the AAA case the three argued that the court had no right to take over congressional prerogatives of policy-making.

"Happy Days Here Again" Is Theme Song in Tennessee City.

By MARSHALL MCNEIL
Editor of the Knoxville News-Sentinel

KNOXVILLE, Tenn., Feb. 18.—Knoxville got up smiling this morning—the same smile it wore when it went to bed last night.

The smile was what was left of the laughs and shouts that greeted the TVA decision yesterday.

News of the favorable decision was the signal for a demonstration downtown, the high point of which was a spontaneous concert in a vacant building across the street from headquarters of the local private power company.

Happy Days for Knoxville

A hill-billy band, performing from a prize fight ring set up in the cold, vacant building played "Happy Days Are Here Again." The high school band joined the music. Shouts and cheers interrupted the concert. A telegraph boy was called from the audience, and a telegram of thanks to Chief Justice Hughes was dictated and sent.

Last night, in the model town of Norris, four miles from Norris Dam, a dance was held, and there was a prayer meeting of the Norris religious fellowship forum.

David E. Lillenthal, TVA power director, was quoted as being quite happy at the decision. What he actually said when he learned of the TVA victory was a fervent "Thank God."

Utility Understatement

The manager of the local private power company, which has been fighting TVA, said when told of the decision: "It's very interesting."

That approached the height of understatement for the day, as evidenced by these reactions:

City Manager George Dempster: "It's the greatest break in Knoxville's history."

Charles Griffith, Chamber of Commerce president: "It is grand news—something to make every man, woman and child in Knoxville rejoice."

President C. M. Preston of the Hamilton National Bank: "It assures a great future for the entire Tennessee Valley."

City Councilman Cockrum, a leader in the fight for cheap TVA power for Knoxville: "I'm the happiest man in Knoxville."

W. G. Brownlow, realtor: "Thank you, Supreme Court!"

The decision is taken here to mean that efforts by the power interests to stop this TVA headquarters city from getting cheap TVA electricity soon will be swept aside by the courts.

Norris Is 'Very Happy'

By RUTH FINNEY
Times Special Writer

WASHINGTON, Feb. 18.—Sen. George W. Norris ate his lunch in the Senate luncheon room while the Supreme Court read its TVA decisions.

He knew the long-waited moment had come but he made no effort to get into the marble palace where the court sits. Eighteen years' work on his part was in the balance, but the same patience which sustained him through that long ordeal enabled him to sit with unbrushed brow and talk of other things with two friends, Senators Johnson and La Follette.

He lighted a cigar. Then two excited men broke through the swinging doors of the luncheon room—Representatives Rankin and Starnes, both ardent TVA supporters. They had just come from the court.

Norris Smiles

"It's all right!" they said, rushing toward Senator Norris.

His face broke into a smile of pure happiness.

But he bore his triumph as calmly as he had borne the years of defeat. He said little except that he was "very happy," and that he never had been able to see how the court could find law unconstitutional.

"I would have been heartbroken if the decision had gone the other way," he said.

At the close of the World War Mr. Norris began saying that the government must go on developing Muscle Shoals and utilizing the power generated there as well as its other assets. Every known kind of pressure was brought to stop his bill, but finally it was carried.

He fought on, sitting through all-night sessions until he was near exhaustion. And twice he won in Congress, only to see the bills vetoed successively by Coolidge and Hoover.

They Were Hard to Take

As it turned out, these reversals only paved the way for greater triumph at the end, but they were hard to take when they came.

In the moment of his success Senator Norris had no bitter words for the men who have called him a Socialist, a Communist and a dangerous radical for sponsoring TVA. He was calm in the sense of his own integrity while it was going on; he was equally calm when the Supreme Court exonerated his project of any such stigma.

He has not changed his mind about the Supreme Court. He still thinks the court should be denied power to overthrow acts of Congress except by unanimous vote.

Fire Causes \$50,000 Damage

By United Press

DETROIT, Feb. 18.—Fire swept through the plant of the Michigan Feed and Grain Co. on Detroit's West Side early today, causing damage estimated at \$50,000 and disrupting street car and motor traffic for hours.

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Subzero Weather Is Challenge to Railroad Men



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11 BELOW ZERO RECORDED HERE

Elementary Schools Close at Noon; Mercury Rising Slowly.

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were reported on roads near Oaklawn. Ice covered all roads in and surrounding Marion County.

The State Highway Commission said that although no main roads were reported closed, that all roads north of the National Road were dangerous.

At Ravenswood, North Side summer resort, White River is frozen solid, with 15 inches of ice in some places. Roads leading to the resort have been covered with ice for two weeks.

The renewed bitterness again caught the city and state on the verge of a coal shortage. Even the railroads running fuel on schedules ordinarily used only for livestock shipments, the shortage continues as a threat.

Marion County schools were closed today by J. Malcolm Dunn, county superintendent. They are to remain closed until Monday. Accompanying the order of closing was an order for all county school busses to stay off ice roads.

There appeared to be no threat of milk shortage, even though some of the roads were impassable and farmers in isolated cases were unable to get their milk to market.

Fire alarms during the week ended Feb. 15 totalled 74, about half the usual number during a cold spell, according to Thomas Haefling, Gamewell superintendent.

One major fire developed early today and a family of four fled the second story of a frame dwelling into subzero temperatures to save their lives.

Blast Damages Home

The home of George Mates, 701 N. Haugh-st., was damaged to the extent of \$6500 when coal gas exploded in the furnace and blew off the flue pipe. Flames ignited the ground floor. The family, Mr. and Mrs. Mates and their two sons, were awakened when their quarters choked with smoke.

Mrs. Mates and the sons, Nick, 21, and Mike, 16, fled down an outside back stairway when they discovered the inside stairway was alive with flames, but Mr. Mates remained in the house in an effort to save some furniture. He was momentarily overcome with smoke, but revived himself and escaped.

John Boardman, 70, of 950 W. 34th-st., died today at City Hospital of head injuries suffered in a fall Sunday near the Terminal station.

Mrs. Laura Earson, who fell Feb. 4 on ice at 10th-st. and Carrollton-av., died last night at City Hospital. She lived at 809 E. 11th-st.

Crash Injures Fatal

Mrs. Mabelle Oakes, 55, Decatur, Ind., who was injured Jan. 22 when the car which her husband was driving turned over near Danville, died last night at St. Vincent's.

Dr. Rome Tompkins, 45, of 1452 Oliver-st., injured early this morning when a taxi in which he was riding skidded and struck a utility pole at Oliver and Arbor-avas, was reported in fair condition at City Hospital. He was injured on the head and chest. Robert Lynn, 29, of 1601 W. Market-st., driver, was taken to City Hospital with head injuries.

In the last 24 hours 144 persons have been treated in local hospitals for injuries received in falls on icy pavements.

OFFICIAL WEATHER

United States Weather Bureau

Sunrise 6:34 | Sunset 5:24

TEMPERATURE

Feb. 18, 1935—

7 a. m. 31 | 1 p. m. 46

BAROMETER

7 a. m. 30.34 | 1 p. m. 30.38

Precipitation for 24 hrs. at 7 a. m. 24

Total precipitation since Jan. 1 23

Deficiency since Jan. 1 1.31

OTHER CITIES AT 7 A. M.

Station Weather. Bar. Temp.

Amarillo, Tex. Clear. 30.45

Baltimore, Md. Cloudy. 30.56

Boston Cloudy. 23.56 35

Chicago Clear. 30.30 14

Cincinnati Partly cloudy. 30.32 4

Denver Partly cloudy. 30.32 4

Dodge City, Kas. Cloudy. 30.54 14

Fort Smith, Ark. Clear. 30.00 52

Green Bay, Wis. Partly cloudy. 30.32 6

Jacksonville, Fla. Clear. 29.90 52

Jamestown, N. D. Partly cloudy. 30.28 16

Mobile, Ala. Partly cloudy. 30.14 32

Montgomery, Ala. Partly cloudy. 30.14 32

New Orleans Partly cloudy. 30.58 36

New York Partly cloudy. 30.58 36

Omaha, Neb. Partly cloudy. 30.98 10

Pittsburgh Cloudy. 30.98 10

Portland, Ore. Cloudy. 30.04