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And yet the affair is decidedly worth discussion, since it presents some nice problems for the liberal mind. It would be easy to say that the Administration committed no crime, but did the more deplorable thing of making a wholly unnecessary blunder. But I want to discuss some of the more remote ramifications of the problem.

For instance, if one believes in free speech should he be for the general or against him? Personally, I must commit myself to the paradox of maintaining that when the generals and the admirals can say whatever they like free speech suffers. Loose talk by brass hats almost inevitably means censorship for the man in the street.

Look at Japan

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The picture of Gen. Hagood as the plain, bluff soldier from whose lips indiscretions poured, because he was cantering along with candor, is not convincing. Quite obviously the witness had prepared his wisecracks in advance. He called WPA funds "stage money" because, as he explained, "You can pass it around but you can not get anything out of it in the end."

Well, I'm on the Fence

THAT does not sound to me like an impromptu. It has all the appearance of a carefully rehearsed epigram. I do not blame any private citizen or general for courting punishment for the sake of a wisecrack of the proper sort. There is nothing undignified in that. The wisecrack may very well be the summation of the challenger's most cherished belief. It can be the white plume under which he rides. I have never understood the psychology of Owen Wister's character who said, "When you call me that, smile!" On the contrary, it seems to me that in almost every case a smile accentuates the challenge.

By this time I realize that I am hopelessly split upon the case of Gen. Hagood. Emotionally, my sympathies go out to rebels and to persons who dare to defy authority which seems to them unjust. On the other hand, when generals rebel they almost always do it on the wrong side. With very few exceptions their criticism of governmental policies represents the bitter cry of the reactionaries. They are forever wanting to have civilians fingerprinted or sent back to where they came from. They beat their breasts about compulsory military training and the red menace.

Although I read the testimony with some care, I must admit that I am a little confused as to just what Gen. Hagood was getting at. I remember he complained that he could not get the proper sort of pencil from the government. I would be the last one to classify that as a minor issue, and yet I hardly think it is sufficient to turn the next election.

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Supreme Court Is Hard-Working Body

BY RAYMOND CLAPPER

WASHINGTON, March 3.—Whatever may be said about the Supreme Court, it is one of the hardest-working agencies of the government. Reassembling after a two-week recess, it handed down 18 opinions. Each member delivered two opinions except Chief Justice Hughes, who read four, and Van Devanter, who had none.

There is much criticism of the delay in determining the constitutionality of legislation. But any observer will testify that once cases reach the Supreme Court, it works energetically to expedite them. The late Chief Justice Taft did much to set the wheels of the gods grinding more rapidly and Chief Justice Hughes has carried on with even more remarkable energy.

Laymen have little conception of the time consumed in hearing arguments, making the exhaustive researches and discussing opinions in conference. Since coming last October the court has rendered 71 opinions, not counting hundreds of orders in which, after a quick glance over the record, the court either decided whether or not to hear it.

IN view of the heavy amount of work thrown on the justices, there has been considerable speculation here as to whether Associate Justice Van Devanter, who recently has been in ill health, would not soon retire. Rumors that he would become current after his son purchased a farm near Washington some weeks ago. Absent from the bench several weeks of the present term, Justice Van Devanter has resumed his seat but has delivered no opinions since the court convened in October.

Throughout the last few years, he has produced considerably fewer opinions than any of his eight colleagues. Over the last six years, justices have averaged a total of about 110 opinions each. Justice Van Devanter has rendered a total of 19 since the fall of 1930, out of a grand total of 955.

Justice Stone tops the list as the most prolific producer of opinions, with 151 since the fall of 1930. The records of other justices since then is as follows: Chief Justice Hughes, 136; Roberts, 123; Cardozo (not appointed until March, 1932), 106; Butler, 111; Sutherland, 103; McReynolds, 89; Brandeis, 87; Van Devanter, 19.

Justice Oliver Wendell Holmes retired in January, 1932. In the three months before he retired, he rendered 6 opinions. The preceding year he delivered 22, more than Van Devanter has in six years, still he felt that he was growing too feeble to carry on his share of the court's work.

THERE is no law requiring a justice to retire. Some have advocated one, although the relative productivity and usefulness of justices does not appear to have much relation to their age. Many persons believe that Van Devanter would have retired before now—he will be 77 next month—except for the fact that in view of the frequent 5-to-4 division of the court, his retirement now and replacement by a Roosevelt appointee might change the complexion of the court in some instances.

For that reason Washington is skeptical about retirement of any of the conservative justices, among whom Justice Van Devanter is numbered as one of the most steadfast, so long as they are physically able to sit in court.

The Indianapolis Times

TUESDAY, MARCH 3, 1936

Second Section

Entered as Second-Class Matter
at Postoffice, Indianapolis, Ind.

F. D. R. LOOKS AT THE RECORD

G. O. P. Disputes Spending Claims, Alleges Report Suppressed



Heywood Broun
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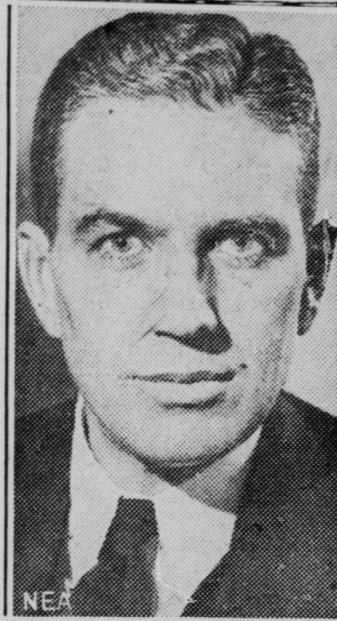
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Rex Tugwell . . . He helped.

BY RICHARD L. HARKNESS
United Press Staff Correspondent

WASHINGTON, March 3.—The New Deal with all its "spending-masters general" doing their utmost was able in 1935 to dispose of only one-third of the \$4,880,000,000 work-relief appropriation, the Republican National Committee said today in quoting a purported "suppressed report" to Congress.

The publication of a digest of the report said to have been made by President Roosevelt, coincided with release by the New Deal of a condensed account of the President's stewardship since 1933 showing all but \$311,606,000 of the work-relief appropriation had been "distributed" up to Dec. 31, 1935.

The Republican committee asserted two copies of the report have been filed with the Senate and House committees on appropriations showing that more than \$3,000,000,000 remained on Dec. 31 to be expended from the work-relief fund by June 30, 1936, under provisions of the Federal Emergency Relief Act of 1935.

THE report, it said, was made by the President "before the 10th of January as required by the act, but for some unexplained reasons has never been published nor made accessible to the press."

Quoting from the current issue of its "facts and opinions," the committee statement said: "Of the \$4,800,000,000 appropriated by Congress last session to enable the President to carry on his Federal relief program in all its phases, only \$1,672,394,306.18 actually had been expended, Dec. 31, 1935. The relief appropriations act was signed by the President April 9, 1935; the funds appropriated were immediately available and to remain available until June 30, 1936.

"This means," the committee said, "that in the nine-months period ended Dec. 31, last, and President and all his 'spending masters general,' doing their utmost, were able to spend only one-third of the amount which Congress appropriated, and that there remained at the disposal of the President for expenditure during the remaining six months of the period covered by the act, two-thirds of the total relief appropriation."

The statement said that "notwithstanding the requirement of law," the President's accounting of spending of relief billions has been held under lock and key, and "still is withheld from the public and from most Senators and Congressmen."

MOST of the spending agencies set up to relieve distress and unemployment have been unable to function efficiently, and the majority have bogged down with a surplus of funds which they know not how to use, the committee said.

The statement listed work-relief expenditures shown in the report as \$894,047,582 by the FERA; \$227,455,343 by the CCC; \$238,147,318 by PWA, and less than \$50,000,000 by any other spending agency.

"All this means," the committee said, "that the spending program of the Administration, other than through Harry Hopkins and the Civilian Conservation Corps, has all but collapsed. The money is not being spent."

The Republican statement precluded the expected request of President Roosevelt for \$2,000,000,000 to carry on work-relief for the fiscal year beginning July 1. The 125-page Administration report of stewardship made no mention of probable 1937 relief needs.

The Administration report was issued at the start of the 1936 presidential election campaign.



President Roosevelt . . . Points with pride.

but the National Emergency Council, which compiled it for the White House, said it "should not be considered a political document."

The summary, in skeletonized form, showed:

Work-relief: From May, 1933, through November, 1935, the government spent \$3,527,899,000 caring for unemployed. Relief cases declined in that period from 4,252,443 to 2,846,910 when the new \$4,880,000,000 employment program had made jobs for 3,284,000 persons.

Mr. ROOSEVELT distributed all but \$311,696,000 of the \$4,890,000,000 up to Dec. 30, 1935, to work on \$1,769,661,612 worth of highway, road and street projects; \$870,773,570 recreation facilities; \$470,416,378 public utilities; \$342,575,130 educational, clerical, professional and social employment.

The report recorded declines in commercial failures, a decrease in bank suspensions and a rise in bank deposits from \$41,643,000,000 on Dec. 31, 1932, to \$44,771,000,000 on Dec. 30, 1934.

The Treasury Department reports, the summary said, "that such rapid recovery in the banking structure was possible largely because of the effective operation of the Reconstruction Finance Corporation and the Federal Deposit Insurance Corporation."

THE RFC, it added, made 20,475 loans to banks with gross authorization of \$3,693,307,555; lent \$487,123,572 to railroads, of which \$412,902,783 still is

bearing public debt rose from \$20,991,640,520 on March 31, 1933, to \$28,617,496,846 on Nov. 30, last year, when the report listed \$4,529,574,043 worth of "guaranteed liabilities of government agencies."

The computed rate of interest on the debt declined from 3.426% per cent to 2.575% during the period.

The government, between April 1, 1933, and Nov. 30, 1935, listed receipts at \$8,941,674,000 and expenditures at \$17,762,056,000, an \$8,820,382,000 deficit.

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Recognizing that the AAA program had boosted the cost of living, the report set out a chart of food prices in relation to other living expenses and personal earnings.

Using the 1929 average as 100, the statistics showed 1935 food prices at 76.8, other living expenses at 83.1 and earnings per person employed in manufacturing, mining and distributing industries at 81.7.

It gave credit to the now invalidated AAA and to \$1,056,352,420 paid farmers for the agricultural upturn. Against the payments, AAA collected \$817,032,446 in taxes. Acreage shifted from production of usual basic crops in 1935 was set at 31,311,000 acres.

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