

## SUPREME COURT MADE ISSUE BY BARKLEY'S TALK

Landon's Courage Opened Way for Democrats, Clapper Holds.

BY RAYMOND CLAPPER

Times Special Writer  
PHILADELPHIA, June 24.—Thanks to the cool nerve of the nominees from "the typical prairie state" in jimmying the Constitutional issue into the Republican Party platform, Democrats are recovering from the buck fever which overcame them after their first impulsive catalysis at the distinguished gentlemen with the horse and buggy.

You will remember how, after their first criticism of the Supreme Court, the Democrats quickly subsided like frightened schoolboys who had sassed the teacher. Until Gov. Landon spoke, they weren't even going to touch the matter in the campaign. They knew something was askew, either in the Supreme Court or in the Constitution. But far be it from them to take on any more trouble.

### Borrow Watson Ideas

They had plenty as it was and, following the advice of former Senator Jim Watson, they resolved in this ticklish situation to rise above principle. Now Mr. Landon is shaming them back into the courage of their convictions.

Senator Alben Barkley's bold keynote speech opens the way for the Democrats to face this question as a legitimate subject of public discussion. He ripped off the wrapping of hypocritical sanctity in which some have tried to dress the court. He treated it as a man-made institution, not beyond criticism and not too sacred to be discussed with.

He summarized his extended discussion in these two sentences:

"When nine eminent men on the highest court can not agree on what the Constitution means, is it any wonder that 531 members of the United States Congress find difficulty in agreeing about it?

### Teddy's Attitude Recalled

"And when five of those eminent men say a law violates the Constitution, and four of them equally eminent, learned and sincere, and equally alive to the compulsions of modern life, say it does not violate the Constitution, then we are at least relieved of any obligation to underwrite the infallibility of the five whose views prevail."

Keynote Barkley's final thrust was to remind Gov. Landon and Frank Knox that Theodore Roosevelt, behind whom they rode in 1912, advocated recall of judicial decisions.

Mr. Barkley has not only opened the way for the Democrats to deal with this issue. He has put it so boldly before the convention that the platform has to follow through. It may be a hot poker but the Democrats have to take hold of it now.

### Fine Distinction Drawn

Just a few hours before he spoke, the absurdity of the hair-splitting into which the court has involved itself was emphasized at Washington. The Attorney General of New York applied to the Supreme Court for a rehearing on the state minimum wage law which recently was declared invalid.

Judge Pearce Butler, in the majority opinion, said the only issue before the court was—not whether the New York law was constitutional—but whether it was the same in principle as the Adkins Law which had been declared invalid in 1932. Mr. Butler held that it was and threw it out—with four justices dissenting.

Now it seems that if New York will come back and admit that its law is the same as the invalidated Adkins Law, but ask the court to reverse itself on the Adkins decision, the court may consider that.

### Useful Purpose Served

If any other government officials except Supreme Court justices, if any bureaucrats should insist upon sending going-through such red tape, they would justly be criticized but practical business men for indulging in dilatory tactics.

However, much hokum is dumped upon us during the presidential campaign—and there are indications that the supply will exceed the demand—it will be worth enduring if along with it both parties break down the taboos which surround any discussion of the Supreme Court and the Constitution.

The next move it up to the Democrats' platform committee.

### LEGION COMMANDERS ARE TO HOLD DINNER

Judge Bradshaw Is to Preside at Annual Gathering.

Municipal Judge Wilfred Bradshaw, president of the Past Commanders Association of the American Legion, is to be in charge of the organization's annual dinner tomorrow night in the Washington Hotel.

Perry Faulkner, Montpelier, O., former Indiana department commander of the Legion, is to be the principal speaker. Judge Bradshaw is to be assisted by Ray Grider, Frank Monroe and Paul Akin, all officers of the association.

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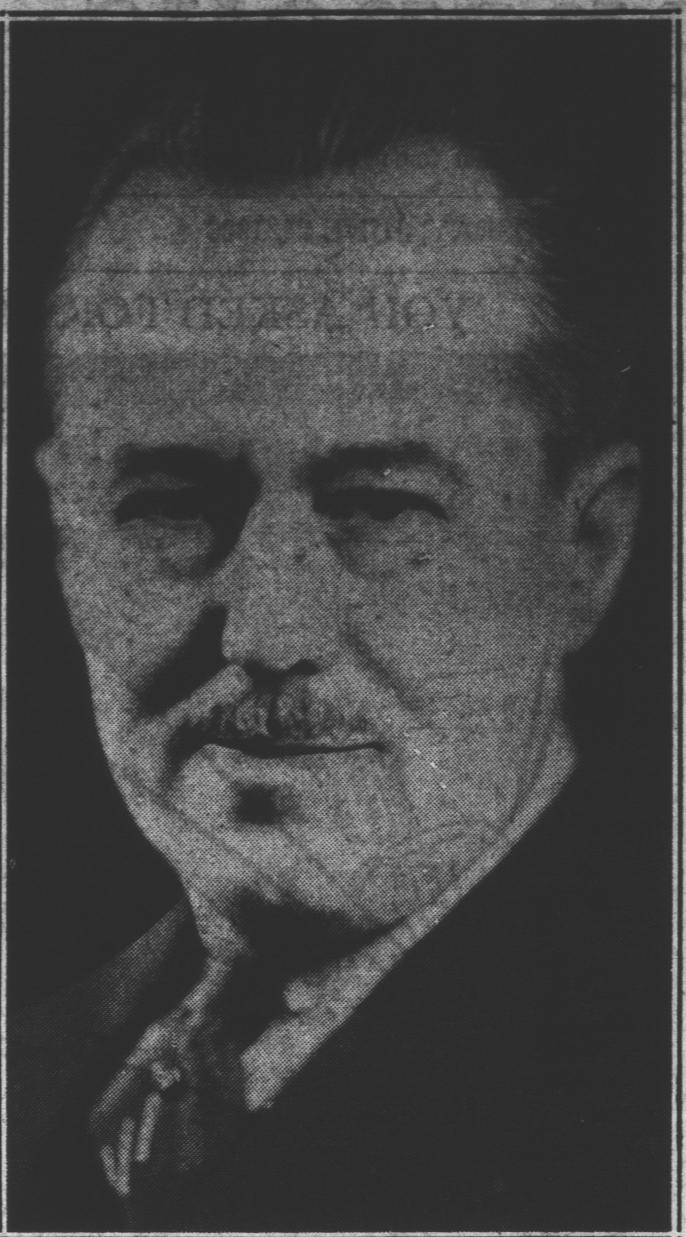
LIGGETT'S  
DRUG STORES

## WILLIAM W. HAWKINS SUCCEEDS ROY W. HOWARD AS CHAIRMAN OF SCRIPPS-HOWARD



William W. Hawkins

Mr. Hawkins today succeeded Mr. Howard as chairman of the Scripps-Howard newspapers. Mr. Howard remains as



Roy W. Howard

chairman of the executive committee, editor of The New York World-Telegram, and president of The Indianapolis Times. Story on Page One.

## 4 CITY BUDGETS DISCLOSE GAINS

Increases Made in Hospital, Controller, Engineer and Purchase Estimates.

Budget requests for four civil city departments were on file today in the controller's office. The four departments showed increased budgets over 1933.

The City Hospital budget for 1934-1935 is \$22,775 higher than last year with a total request, exclusive of salaries, of \$96,671. A separate budget request was made for \$75,000 for the Indianapolis Flower Mission.

The controller's department sought a \$11,191 increase in its new budget. Repairs, office supplies and interest formed the bulk of the increases. The total request for the department was \$320,254.41.

The city engineer's office has asked for a \$11,591 increase in the new budget. Henry B. Stee, city engineer, said the increases were necessary because of the recent transfer of street repair work from the street commissioner's office to the engineering division.

The fourth increased budget filed was the purchasing department's with an increase of \$565 for equipment.

Salaries are not included in the budgets of the city engineer's office and purchasing department.

5 Killed in Plane Crash

By United Press  
CHERBOURG, France, June 24.—Two hydroplanes collided over Hainneville today, resulting in the death of five of the occupants.

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## G-MAN CHIEF ASKS AID IN CRIME WAR

Urge Formation of Law and Order Groups at Kiwanis Party.

By United Press

WASHINGTON, June 24.—Formation of law and order committees in every community to throw out crooked politicians, "fat-brained and flat-footed policemen" and politically controlled pardon and parole boards, was recommended to the Kiwanis International Convention today by J. Edgar Hoover.

The Bureau of Investigation chief demanded that civic organizations protect honest public officials against the "mud-slinging and characterizing tactics of the nation's crooked politicians." He urged the "better citizens" of the nation to drive on crooked politicians. His speech signaled the G-men drive on crooked politicians promised when the last of the nation's bigtime kidnapers was out of the way.

Mrs. Catherine Shultz, Lafayette, was unopposed for re-election as president of the Daughters of Union Veterans, meeting with the G. A. R.

Mrs. Pearl Wright, Logansport, senior vice president, was also unopposed. Mrs. Esther Anderson, Evansville, and Mrs. Stella Van Arsdall, Lebanon, were nominees for junior vice president.

Fees Grand Larceny Charge

Verlin Dewalt, 20, Negro, of 1240 N. Senate-av., was bound over to Marion County grand jury on a charge of grand larceny in Municipal Court today. Bond was set at \$2000. Police charged he stole \$150 from a city market stand.

Fees Grand Larceny Charge

Floyd Monroe Fisher, Detroit, was sentenced to serve three years for interstate transportation of a stolen car and Jesse Gilmore, Evansville, was sentenced to two years for forging the name of his stepfather to an \$11 money order. Gilmore was placed on probation.

Forger Given Two Years, Is Placed on Probation.

Prisoners sentenced by Federal Judge Robert O. Balzill on Federal indictments returned by the grand jury Monday totaled 12 today.

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