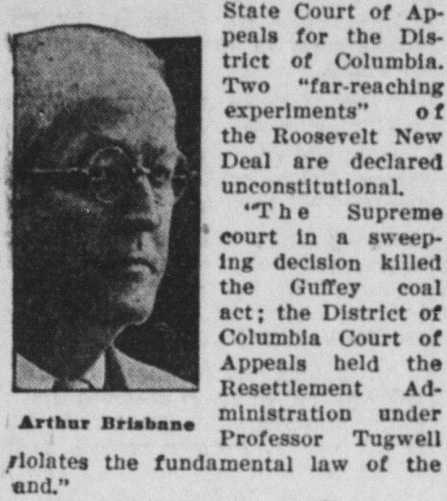


BRISBANE THIS WEEK

Two New Deal Upsets 25,000 Watch Frogs In School Until 22 Round Trips to Europe



Arthur Brisbane

Big news from the Supreme Court of the United States and the United States Court of Appeals for the District of Columbia. Two "far-reaching experiments" of the Roosevelt New Deal are declared unconstitutional.

The Supreme court in a sweeping decision killed the Guffey coal act; the District of Columbia Court of Appeals held the Resettlement Administration under Professor Tugwell violates the fundamental law of the land.

The decisions set forth that "these major experiments in socialization involve unlawful delegation of powers vested in congress and violation by the federal government of the rights of the states," the Washington dispatch avers.

The resettlement decision affected only that part of the relief activities under Professor Tugwell's administration, leaving undecided the remainder of the \$4,800,000,000 voted to the President last year.

Much of the resettlement money has been spent and much more allocated, cancellation of which will raise problems.

At Angels Camp, Calif., 25,000 persons watched the annual Calaveras county frog-jumping contest and saw "Can't Take It" cover a distance of 12 feet 3 inches in three hops. Another frog, raised on the ranch of the late Will Rogers, was second, with 12 feet 2 inches.

Twenty-five thousand human beings watched some frogs hop; not half as many would have gathered to hear Einstein lecture on relativity.

It is suggested that every American be compelled to go to school until twenty-two years of age to cut down the competition for jobs.

It might be simpler to keep everybody in school until sixty and then give everybody a pension of \$200 a month. What could be simpler than that?

The average sensible American starts making a living long before he is twenty-two and would do well to continue on that basis.

Sir Hubert Wilkins, who has flown in the Arctic, Antarctic and other queer regions by plane, crossed the Atlantic by dirigible recently.

Says Sir Hubert: "From almost anywhere in the United States, a business man could spend Wednesday and Thursday going about his business, catch the dirigible by airplane Thursday midnight, spend two business days in Europe and be at his desk the early part of the next week."

Prof. Raymond Moley says it was easier for Mussolini to conquer "muddy thinking" in the League of Nations than it will be to "prevail over the mud of Ethiopia in months to come."

New York police arrested a middle-aged woman begging near a church and "acting strangely." She wore men's shoes, five dresses, one over the other, and carried bank books showing deposits of \$25,000.

This should not discourage wise charity. Not every old woman, begging, has four extra dresses and \$25,000. But it might well discourage thoughtless, indiscriminate giving, which encourages professional beggary and causes young beggars to graduate as criminals.

Following an old Roman custom, Mussolini is taking a census of the Ethiopians that remain. The total number is between six and fourteen millions. Exact figures are wanted.

The able-bodied will be put to work, plows, spades and shovels supplied by Mussolini, with Italians telling the Ethiopians where and what to dig. That need not horrify us, for it is what we have been doing in this country for a long time. It will be better for the Ethiopians than killing and selling each other into slavery.

Americans ask three questions: "What is the news? Who won the game? Have you heard the story about —?" For that reason, the successful newspaper pays attention first to the news, told accurately and vividly, then it concentrates on sport, then on humor. Such dry things as opinions, editorials, books, in the rear. Fiction ought to be number four, but good fiction is scarce and the other kind not worth printing.

Anti-religious hatred persists in Spain. While Pope Pius in Rome was addressing representatives of Catholic newspapers, deploring Communism and the Hitler attitude toward the Catholic church and the Catholic press, a Spanish mob in Valencia was burning two Catholic churches, beautiful monuments of early days. Former indifference to religion has turned to actual hatred in many countries, and in those that were most deeply religious.

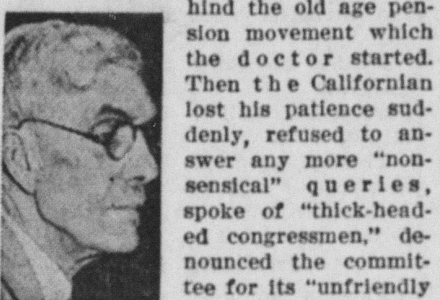
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News Review of Current Events the World Over

Congressional Quizzers Stir Dr. Townsend to Wrath—Landon Has Big Bunch of Delegates—Guffey Coal Act Declared Invalid.

By EDWARD W. PICKARD

FOR two days Dr. Francis E. Townsend replied mildly to the questions of the house committee investigating the activities of the organization behind the old age pension movement which the doctor started.



Dr. F. E. Townsend.

Then the Californian lost his patience suddenly, refused to answer any more "non-sensical" queries, spoke of "thick-headed congressmen," denounced the committee for its "unfriendly attitude" and asserted the administration was a "hostile force" behind the inquiry. He declared he would form a third party after the November elections.

Finally Doctor Townsend told the committee: "I am retiring from this sort of inquisition and I do not propose to come back except under arrest. And I do refuse absolutely to make any further statement regarding this movement to this committee."

Escorted by Gerald K. Smith, former adherent of Huey Long, and another man, the Californian fled from Washington to Baltimore. The committee decided to ask the house to cite him for contempt.

When he was questioned regarding large sums contributed by Townsend club members the physician said the contributors had faith in him and that "we need millions to promote a movement of this kind and we will get them."

His testimony developed that Doctor Townsend, his brother, Walter Townsend, and Gilmour Young own the assets of the Townsend organization, estimated now at about \$90,000, and that Townsend club members have no property right in them.

Doctor Townsend testified he has received about \$68,000 in salary, dividends from the Townsend weekly and expenses, but now had only about \$300 and his wife about \$200 to show for their efforts.

GOV. ALF LANDON captured nearly all the New Jersey delegates to the national convention, defeating Senator Borah about 4 to 1 in the popular vote. This victory gave the Kansan a total of more than 200 votes to start with at Cleveland, and his manager, John Hamilton, claimed he would have at least 300 of the 501 votes necessary to nominate and would win on the second or third ballot.

The statement by Herbert Hoover taking himself out of consideration for the nomination is generally judged to have helped Landon. With Mr. Hoover out of the picture it will be difficult to hold California, Texas, and other potentially Hoover votes away from Landon. James A. Farley, postmaster general and also Democratic national chairman, told the Michigan Democratic convention he believed the Republican Presidential nominee will be "the governor of a typical prairie state" and that his election, if he won, would be a "perilous experiment." Farley criticized the man he did not name as devoid of experience in national affairs, and predicted that if he is the Republican standard bearer "even Kansas" will not be in the Roosevelt doubtful column.

CONSTITUTIONALITY of the railroad retirement system was contested before the District of Columbia Supreme court by attorneys representing the class 1 railroads and 280 lesser railway enterprises. The lawyers argued that the pension law and a tax law enacted at the same time are together "substantially the same" as the "unconstitutional railroad retirement act of 1934."

The two separate acts, one providing pensions and the other taxing the income of railroads and employees, were passed last year after the Supreme court ruled unconstitutional the 1934 law in which a levy and a pension system were combined.

The government contended that the alleged relation between the two acts could not be proved, and that the railroads were suing, in effect, to enjoin collection of a tax. Such a suit, the government contended, was barred by federal law. The government further defended its railroad retirement system as an exercise of its constitutional power "to provide for the common defense."

POSTPONEMENT of action on the Patman-Robinson chain store bill until next session was urged on the house rules committee in a letter from six powerful farm organizations.

Charging the bill would restrict operations of farm co-operatives by preventing them from receiving wholesale discounts, the letter warned also that higher consumer prices would result from enactment. The measure, already passed by the senate, prevents price discriminations by manufacturers to big customers.

The letter was signed by representatives of the American Farm Bureau Federation, the National Grange, the

National Co-operative Council, the National Co-operative Milk Producers' Federation, the Farmers' National Grain Association, and the Northwestern Farmers' Union Legislative committee.

SECRETARY OF WAR DEERN allocated nearly \$138,000,000 for river and harbor improvement projects throughout the country that had been recommended by the engineering corps. Of this sum, \$103,458,839 will be used for entirely new waterway and port improvement while \$34,408,150 will be employed in maintaining existing river and harbor facilities.

SIX members of the Supreme court of the United States ruled that the Guffey act to control the bituminous coal industry is invalid, and another of the New Deal experiments goes into the discard. This is the act which President Roosevelt urged congress to pass notwithstanding doubts of its constitutionality "however reasonable."

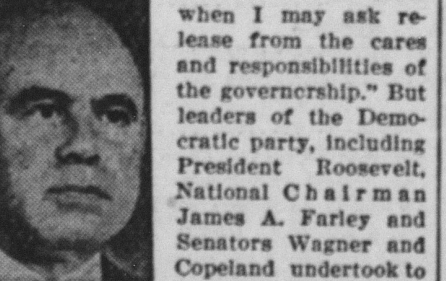
Five Justices—Sutherland, Butler, Van Devanter, McReynolds, and Roberts—joined in the majority opinion which invalidated the whole act. Justices Cardozo, Brandeis, and Stone joined in a dissenting opinion in which they upheld the act. Chief Justice Hughes held in a separate opinion that the act was constitutional with respect to the marketing provisions but unconstitutional with respect to the labor regulations.

The court in the majority opinion held that there is no authority in the Constitution for the control of the coal industry attempted in the Guffey act. The act was not valid either under the commerce clause or the welfare clause.

Senator Guffey of Pennsylvania, author of the act, lost little time in introducing a substitute measure, concentrating on price fixing and omitting the labor provisions which were outlawed by the Supreme court. John L. Lewis, head of the United Mine Workers, declared that organization would "join in requesting congress to enact the bill at once." He thought the measure would "operate to maintain the equilibrium of the coal industry pending further study of stabilization of the industry."

A plea to all coal operators to support the new bill was made by Charles O'Neill, legislative chairman of the National Conference of Bituminous Coal Producers. Some congressional leaders, however, thought it unlikely that the new Guffey bill could be passed at this season.

HERBERT H. LEHMAN announced suddenly in Albany that he would not be a candidate for a third term as governor of New York, saying: "I feel the time has come when I may ask release from the cares and responsibilities of the governorship."



Gov. Lehman

But leaders of the Democratic party, including President Roosevelt, National Chairman James A. Farley and Senators Wagner and Copeland undertook to persuade Mr. Lehman to run for reelection. They all agreed that his retirement would be a loss to the state and the party and that he should be "drafted."

The immediate political result of the governor's surprise action was that New York again became a doubtful state for the presidential campaign, in the minds of many politicians. The morale of Republican leaders in the state improved, and Democrats began speculating as to which of a group of five or more candidates could be groomed for the gubernatorial nomination this fall if Lehman persisted in his determination.

GENERAL rejoicing marked the inaugural of Dr. Miguel Mariano Gomez as president of Cuba—the first elected by the people since Gerardo Machado. The new executive, a lawyer and revolutionary leader who has twice been mayor of Havana, took the oath of office in the ball room of the president's mansion in the presence of 400 foreign and Cuban officials. The guns of Cabañas fortress across the harbor fired a twenty-one gun salute and on the signal all public buildings were illuminated and thousands of merry-makers began parading the streets.

President Gomez appeared on a balcony and told the shouting throngs that he would do his best to maintain a constitutional government "by the Cubans and for the benefit and interest of all Cubans." In his first message to congress he assured the nation that personal rights would be respected. Among his policies he listed "ample tolerance to all ideas, ample guarantees for all rights and sufficient energy to maintain order and the necessary strength against offenders against the laws."

NEITHER Great Britain nor France has any intention of paying the installments on the American war debt due June 15. And almost certainly all the other debtor nations except Finland will follow the example of the two big ones and again default. British Foreign Minister Eden talked about the debts with Leon Blum, who probably will be premier of France soon, but there was no indication that either one was planning to make a payment. Blum told the American club in Paris he hoped the war debt "misunderstanding" might be cleared up, but he was just trying to be pleasant to the people of both America and France without spending any money.

Of course the debtor nations would like to have the issue cleared up, for as long as they are in default they are subject to the restrictions of the Johnson act which makes it unlawful for any person in the United States to purchase or sell the bonds, securities or other obligations of any foreign government or to make any loans to such a government while that government is in default in payment of its obligations to the United States.

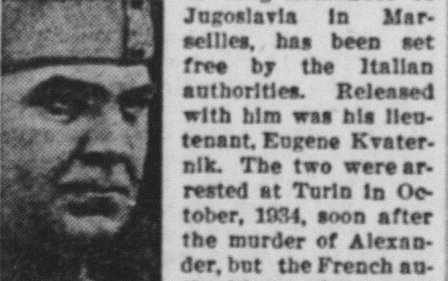
BENITO MUSSOLINI advised Prince von Starbemberg of Austria not to start any domestic trouble because he was ousted from the cabinet by Chancellor Schuschnigg, and when the prince returned to Vienna the cabinet fixed things up neatly by decreeing that the country should have three fuhrers. Schuschnigg, the unofficial dictator, becomes national leader of the fatherland front; Eduard Baar von Barenfels, the new vice chancellor, is national commander of the front militia; and Starbemberg continues as sports leader and head of the Northhood Protective association.

NATIONS that are especially hard up might consider the method said to be employed by Rumania. A Bucharest newspaper asserts that government employees have been paid largely in counterfeit money, vast quantities of bogus 100 lei pieces having been issued in sealed bags by the ministry of finance. That ministry then announced that the counterfeit coins would not be redeemed and that persons who passed them would be prosecuted.

THE resettlement administration headed by Rexford Guy Tugwell was declared by the District of Columbia court of appeals to be "clearly unconstitutional delegation of power," in a case involving a model community project in Somerset county, New Jersey.

Going beyond the issue before them, the justices of the Appeals court called the entire relief appropriations act of 1935 into question. The act was invalid and hence RA was invalid, according to the court. Legally, however, none of the rest of the act will be affected by the decision because the other multitudinous activities of the New Deal under the appropriation were not before the court.

DR. ANTON PAVELIC, alleged leader of Ustashi, the Croatian terrorist organization, and accused as one of the "masterminds" in the assassination of King Alexander of Yugoslavia in Marseilles, has been set free by the Italian authorities. Released with him was his lieutenant, Eugene Kvaternik. The two were arrested in Turin in October, 1934, soon after the murder of Alexander, but the French authorities who were working on the case were never permitted to question them and an Italian tribunal refused the request of the French government for their extradition to France for trial.



Dr. Pavelic

working on the case were never permitted to question them and an Italian tribunal refused the request of the French government for their extradition to France for trial.

JOSE LUIS TEJADA SORZANO was forced to resign the presidency of Bolivia by a junta of army officers and Socialists who staged a bloodless coup d'etat in La Paz. Col. German Busch, acting chief of the general army staff, leader of the coup, will be at the head of the government until Col. David Toro, hero of the war with Paraguay, returns from the Chaco, when Toro will be installed as president.

NEWS that Japan was greatly enlarging her force in North China led the State department in Washington to announce that the position of the United States is the same as that outlined last December by Secretary Hull affirming its support of the nine power pact that guarantees China's territorial integrity. At that time Mr. Hull said this country has a binding faith in the fundamental principles of its traditional policy. This government adheres to the provisions of the treaties to which it is a party and continues to bespeak respect by all nations for the provisions of treaties solemnly entered into for the purpose of facilitating and regulating, to reciprocal and common advantage.

At the State department it was said that the reaffirmation of support of the nine power pact does not mean that the administration will abandon its policy of declining to take the initiative in any attempt to curb Japan for violations of the pact. This was attempted by Henry L. Stimson, secretary of state in the Hoover administration, with the gain of nothing but Japanese ill will.

MRS. SARA DELANO ROOSEVELT, aged mother of the President, fell while on a visit in New York some days ago and is laid up at Hyde Park with an impacted hip and cracked bone. She made light of the injuries but Mr. Roosevelt was gravely concerned. He spent the week end with his mother.



A Little Bit Humorous

A TICKET FOR FLORENCE The old lady rapped on the window of the tiny station booking office. "I want a ticket for Florence," she announced. After vainly hunting through several large railway guides the clerk came back to the window with a somewhat ruffled head and temper. "And where is Florence, anyway?" he demanded. "That's her, the little dog sitting over there with the luggage," answered the old lady sweetly.

SMALL MATTER



"Do you like your school, Jimmy?" "Yes, sir; we have a fine school, but I think they oughta get a new teacher."

True Observation

The professor of economics had been talking steadily for more than an hour, and his class was becoming a trifle restless.

"Take any article, for instance," he droned on. "When it is bought it goes to the buyer."

"What about coal?" interposed a weary voice.

The professor gazed over his glasses at the interrupter.

"Well," he snapped, "what about it?"

"When coal's bought doesn't it go to the cellar?" asked the youthful student.

Seems Reasonable

Schoolmaster—Now Willie, if the earth's axis is an imaginary line, can you hang your clothes on it?

Willie—Yes, sir.

Schoolmaster—Ha, ha! That's good. And what sort of clothes, Willie?

Willie—Imaginary clothes, sir.

He's No Grocery

Tramp—Could you spare me something for a cup of coffee?

Scotsman—Hoots, mon! D'ye think I carry lumps o' sugar around in my pockets?

Poor Fellow

Percy—O, me, I'm not thin-skinned I'm the first to laugh at my own silly foolishness.

Girl Friend—What a jolly life you must lead!

Clock-Watch

Teacher—I certainly wish I could find some way to make this class pay attention while I'm talking!

Bright Boy—Why don't you put the clock behind your desk, teacher?

BRIDGING OVER



"They say her husband is in financial straits and they could not get along but for her card winnings." "She sort of 'bridges' over their difficulties, so to speak."

No Change

Little Barbara Lee was visiting with her mother and immediately found the bathroom scales. Her mother informed her that she weighed just 39 pounds. She returned again and again to weigh herself, then finally said:

"Mother, every time I weigh, I weigh the same price!"—Indianapolis News.

He Dared

Wife—When we married I thought you were a brave man.

Other Half—So did everybody else.

Deserted

"Don't you miss the summer boarders?"

"Yep," replied Farmer Cornstossel. "Now me an' the hired man has to do the complainin' about the cookin' all by ourselves."

Vital Spot

Sympathizer—Poor little fellow! Where did that cruel boy hit you?

Little Boy—Boo, hoo! We were having a naval battle and he torpedoed me in the engine room.—Pathfinder Magazine.

STAR DUST Movie • Radio

By VIRGINIA VALE

IF YOU'D like to see a motion picture that has everything, be sure to be on hand when "Under Two Flags" is shown in your neighborhood. It's great! Ronald Colman donned his Foreign Legion uniform again for this one. Claudette Colbert gives a fine performance, and so do Rosalind Russell and Victor MacLaglen. In fact, the whole cast is good. And the story! No doubt you're familiar with it; it has been popular ever since Ouida wrote it, years ago.



Garbo

Now that the reticent Garbo has broken down and talked and been photographed and been interviewed by reporters, almost anything can happen. Arriving in New York on her way back to Hollywood from Sweden, she made no effort to dodge newspaper men. She did her best to give a good interview but was so nervous that it was almost pitiful. After all, facing cameras and reporters is no easy thing to do; it's an art, one for which most of our movie stars almost go into training.

Microphone fright is a strange thing, as the news reels show you over and over again. Take the case of Nellie Grainger, the air line hostess who showed such remarkable courage when the plane she was working on crashed not long ago. Her bravery saved two lives. But when she posed for the news reel boys she was so frightened that she could hardly speak!

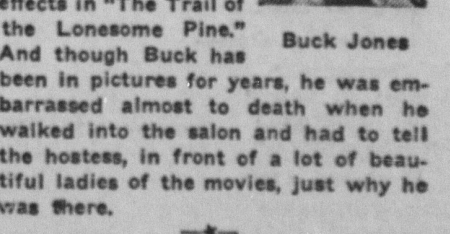
Sylvia Sidney wanted to dodge the people who appeared to interview her when she traveled from Hollywood East, but she had a good excuse—make-up poisoning, an ailment that causes a good many of the stars to suffer, and in some cases does lasting damage.

Want to enter a beauty contest, girls? If you do, you'll be interested in knowing how at least one experienced judge works. He is Max Factor, Hollywood's make-up king, who has judged more than 1,400 beauty contests during the 27 years he has been in Hollywood. Here's the way he picks winners.

Skin and complexion get 15 points. Regular, well-formed features especially large, clear eyes, count for 15 more. Five points for soft, well-groomed hair, and five for slender, well-manicured hands. And 15 each for a well-proportioned figure, graceful carriage, a pleasant, vibrant personality, and inherent intelligence and poise.

These are the days when a talented child is a better investment than stocks, bonds or real estate. The greatest difficulty is that, provided you have the child, you've got to be a talented parent as well, for success is likely to spoil the child, and then movie and radio contracts go by the board. Young Walter Tetley, who is fifteen now, and began his career when he was six, has the right kind of mother; consequently he is now heard on about 12 important network radio shows each week—Town Hall Tonight, the March of Time and Showboat among them.

Buck Jones experienced one of his worst moments recently in Max Factor's studio. Buck is planning to do his next "western" in color, and wanted some advice on make-up for it, so he went, naturally, to Factor, who has specialized in Technicolor make-ups ever since Hollywood began going color-mad; he's responsible for the realistic effects in "The Trail of the Lonesome Pine." Buck Jones



Buck Jones

And though Buck has been in pictures for years, he was embarrassed almost to death when he walked into the salon and had to tell the hostess, in front of a lot of beautiful ladies of the movies, just why he was there.

Radio has done something to Fifi D'Orsay that Hollywood couldn't. Her fiery temperament used to be the bugaboo of the directors for whom she made pictures, but when she gets up in front of a microphone, with some 20,000 people listening in, she doesn't dare blow up. No matter how she rages inwardly, she goes on without a break, and usually by the time the broadcast is over the rage is gone, too.

ODDS AND ENDS... Spring may be here, but Paramount is getting ready for autumn by making a football picture... Bette Davis rushed home to Hollywood from her New York vacation, just in time to be asked to take a three-weeks' layoff, without pay... It's all in her contract; she works forty weeks a year... John Boles has just signed a new contract with Paramount, which calls for \$50,000 per picture... Think of the income tax he'll have to pay!

Western Newspaper Union