

# Washington Digest

National Topics Interpreted  
By WILLIAM BRUCKART



Washington.—I have an idea that most readers of newspapers overlooked the importance of a recent decision by the Supreme court of the United States. It is only a natural consequence if they did read it and then dismissed the matter from their minds. That result would obtain in many places because the average person, concerned with his own problems, would not pause to trace the application of a rather obscure principle of law even though it is the expression of the highest court.

The decision to which I refer was in the litigation that hereafter is going to be known as "the Kansas City Stockyards case." An official and legal title in a court proceeding ordinarily fails to identify it. So, "the Kansas City Stockyards case," it is and will be. But "the Kansas City Stockyards case" did very much more than bring a ruling effecting the immediate parties to that litigation; it applies to every agency of the federal government and, I suspect, its application eventually will be broadened to cover actions by agencies of states and lesser subdivisions of government. That is to say, the decision is of moment to you and me and every other individual in our nation. It is fundamental.

Let us see, first, what the controversy was in "the Kansas City Stockyards case." The Department of Agriculture, under a 15-year-old law, has rather broad powers of supervision over public stockyards, one of the greatest of which is the marketing yards at Kansas City. Under that law, the secretary of agriculture is empowered to fix the maximum rates of fees, commissions and other charges made against shippers of livestock into the yards. That is, the secretary may establish those rates "after the facts have been determined," and due consideration has been given to all rights and duties of the parties concerned.

Several years ago, complaint was made to the department that the Kansas City stockyards was charging unreasonably high fees. The department had no choice other than to issue a citation, hold a hearing, determine the facts and issue an order. The law required that course. But, according to the records in the case, the hearing that was held was something of a farce. All of the complainants were heard, and the department's own investigators submitted their reports. It appears, however, that the stockyards company was never allowed to present its side of the case—did not have its day in court. Well, the secretary of agriculture, Mr. Wallace, issued an order fixing new rates; the stockyards company appealed to the federal courts and the case finally wound up in the Supreme court of the United States.

That court has now rendered its decision, and that is the reason for this discussion. The highest court did not mince words in overturning Mr. Wallace's rates. It did so, it explained, because of the arbitrary way in which he fixed the rates. They may or may not be fair; the court did not go into that question, but the court very definitely said that any respondent or defendant was entitled to have his side of the case presented and Mr. Wallace had not permitted the stockyards company its opportunity for a fair trial.

It may or may not be news to the readers of this column to know that there are upwards of 50 agencies of the federal government that have authority to act as "legislative courts." That is, they are fact-finding bodies and from the facts thus found, the agencies are empowered to render decisions that are as powerful as a court decision, except that these agencies can not render a final decision unless those charged are willing to accept the finding as final. That is to say, the accused or those charged may go into court for a review of the action taken or the order issued. In "the Kansas City Stockyards case," recourse was had to the court. A precedent and guideline for future orders by this flock of legislative courts, therefore, has at last been established.

And why was the Supreme court's decision so important?

**Why So Important?** The answer is that, in that one decision, the highest court in the land laid down a rule of law that agent will insure the protection of personal rights. It said, in effect, that the action by Secretary Wallace had been a denial of constitutional rights of the individual and, being such, the secretary had acted as a dictator who recognizes no law. The decision was the more important for the reason that such a large number of these legislative courts exist. They have a habit of expanding and extending their powers; they take action which constitutes a precedent, and in a sub-

sequent order go further than in the prior one. As precedent is built upon precedent, it happens frequently that after a period of years such an agency is exercising authority never intended by congress. The authority has grown up frequently because none of the respondents have money to contest the case further. It costs money to prove innocence when you are accused by your government.

Again, as to the importance of the decision from the standpoint of its scope: there has been an immediate and vigorous reaction by the national labor relations board. That crew started running immediately after the court's opinion was read. They tucked their tails between their legs and went quickly into a retreat from the bold and brazen position they had held against all who sought to challenge their authority. To see the swagger and braggadocio transformed so suddenly into a meek and lowly attitude—well, any one with a sense of humor could hardly keep from laughing.

There never has been a federal agency in my 20 years in Washington that has relegated to itself the arrogant authority, the dictatorial authority, shown by the labor relations board. If the national labor relations act were sound in every respect, the personnel that is administering it would destroy whatever chance it had of succeeding.

So, when the court ruling told the legislative courts to be fair with those accused or charged, the labor relations board smelled a number of legal proceedings against it. Its members recognized that there were cases it had "decided" that would not stand the test in the spotlight of a federal court for the reason that the respondents had not been allowed to tell their side of the story. There were cases, for example, where the board had heard its own investigators' testimony, the testimony of several C. I. O. organizers whose job had been to stir up trouble—and where the respondents had been informed that the board had "no interest" in what they had to say. There were other cases where board investigators had gone into factories and had used methods taught the world by Dictator Stalin's OGPU. Naturally, the board tried to get out from under.

The board's lawyers, recognizing the dangerous ground upon which their cases in federal court were standing, sought to withdraw their request for court enforcement. But Mr. Henry Ford, one of those whom the board and the C. I. O.-Lewis labor group sought to punish, felt that the case should be tried in court, and he is insisting through his lawyers that the proceedings continue. The Ford lawyers happen to be the lawyers who fought the late and unlamented NRA in the famous Schechter case, and won it—which ended NRA. They are going after the labor relations board and when they get through, it is possible we will know how much power that board has.

Along with the Ford case, the board has other troubles. The great Inland Steel company of Chicago, and the Douglas Aircraft corporation have decided they did not get a square deal from the New Deal board. They have asked federal courts to review their cases and decide whether the orders issued by the board were in accordance with the facts, and they have asked also for a ruling as to whether they had been denied legal rights.

It is made to appear, therefore, that the board may have to undo a lot of things it has done. It may have to admit, also, that in some cases there has actually been maliciousness on the part of some of its investigators. Consider the Ford case, for example. If the board withdraws its original order, it will be saying in effect that the facts upon which it based that order were not the facts at all. That will be somewhat embarrassing, it seems to me. It will be more embarrassing, however, if it comes forth with a new order which is based upon a different set of facts. Either the first set of facts or the second of facts obviously is wrong—not facts at all in one of the two instances.

There are other instances of other boards and commissions which have been exercising all too much authority for the good of the country, according to the way I see things. Few of them have been so blatant about it, however, as the Department of Agriculture and the labor relations board. Some of the agencies, notably the interstate commerce commission, has never been accused of unfairness, as far as I know. It may have made mistakes, or legal questions may have been tested in court, but that agency holds the respect of railway executives, shippers and labor alike.

## WHO'S NEWS THIS WEEK

By LEMUEL F. PARTON

**NEW YORK.**—Two or three years ago, I was one of a group of newspaper men arguing about who was the best reporter who ever worked a round here. One old-timer was holding out for Roy Burton, whom he had known on the Brooklyn Eagle in the nineties. Burton, he said, was the best leg-man and digger, the most fearless, and the most gifted in fanning up a story out of nothing at all. He knew make-up, too, said the oldest.

The diligent reporter has been duly rewarded. He is the Sir Pomeroy Burton whose magnificent French chateau the duke and duchess of Windsor were looking over recently.

With the Northcliffe papers in London, he became a multi-millionaire, as he transformed British journalism with daring American techniques. He became a British citizen in 1914 and was knighted in 1923. In addition to his vast newspaper interests, he is a magnum of electric power and utilities.

He was a printer's devil on his father's newspaper in Youngstown, Ohio, and, at the age of twelve, was knocking about country printshops in Ohio on the same job. He became a compositor on the Brooklyn Eagle. Hearing of a vacancy on the news staff, he persuaded the city editor to give him a try at reporting.

He hired evening clothes to cover a society function. There, Colonel Hester, owner of the Eagle, was tremendously impressed with the personable young man with whom he was talking, and thought he had met him somewhere. Young Burton did not remind the colonel that he had seen the young man in a printer's apron a few days before.

He became city editor and managing editor of the Eagle, held important executive positions with the World and the New York Journal and was taken to England by Lord Northcliffe in 1904. Ten years later, he owned all but a few of the Daily Mail shares not owned by Lord Northcliffe.

In the World war, he virtually headed the organization of British propaganda, and many of the most damaging anti-German stories were attributed to him. His enemies charged that he had "debauched British journalism with degrading American sensationalism."

His friends insisted he had enlivened and regenerated it. He makes an occasional trip to America with a staff of valets and secretaries, suave, dressy and still fit and impressive at seventy-two, with more than a touch of British accent.

Over here, he always hated the name Pomeroy and shortened it to Roy, but picked it up again in England. He had been named for "Briek" Pomeroy, the cyclonic journalistic disturber of the latter half of the last century, and he held Mr. Pomeroy in low esteem. Pomeroy was almost, but not quite, a winner.

From a Wisconsin crossroads, he rammed around the country in newspaper and financial brawls, and, in his old age, just through sheer animal spirits, started plugging a tunnel through the Rocky mountains, at Georgetown, Colo.

He was flattened by the '93 depression and died soon after, with nothing to show for his life's work but a hole in the ground. Then it was discovered that the tunnel had gouged into fabulous mineral wealth in Kelso mountain. Eight years ago, the tunnel went on through the mountain, as the Moffatt tunnel.

**REPORTING** the return of Poultney Bigelow from a visit to his friend, the former kaiser, and his fervent approval of dictators, has become a matter of annual routine. It is an old story, but the freshness and vehemence of Mr. Bigelow's disgust with democracy and enthusiasm for fuhrers always makes it interesting.

He is the patriarch of Malden-on-the-Hudson, with relatives and descendants, down to great-grandchildren, all up and down the river. He will be eighty-three years old on September 10. His father, John Bigelow, was American minister to France under Abraham Lincoln.

He hunted birds eggs with the kaiser, forming a lifetime friendship, broken only by the war, which he charged the kaiser with having started. He recanted afterward and the two old men meet annually to salute "Der Tag" when only the all-wise and all-just shall rule again.

# WHAT TO EAT AND WHY

## C. Houston Goudiss

### Discusses the NEED FOR IODINE

**Key Substance of the Thyroid Gland--Tells How to Avoid Iodine Starvation**  
By C. HOUSTON GOUDISS  
6 East 39th St., New York City

**T**HE discovery of our vital need for iodine is one of the most thrilling chapters in the long history of scientific research.

Many investigators contributed to our understanding of iodine hunger, but special credit is due to Dr. David Marine and his co-workers; and to Dr. E. C. Kendall of the Mayo Clinics at Rochester, Minn.

Today we know that although it constitutes only about one part in three million parts of the body weight, iodine is so essential that its absence from the diet may have the gravest consequences.

**Thyroid--The Gland of Glands**  
Iodine is necessary for the normal functioning of the thyroid gland, situated in the front part of the neck. The thyroid is so important that it is often regarded as the throttle which governs the human locomotive, and when it fails to function normally, the body machinery may be thrown out of balance.

Thyroid disturbance during childhood may affect mental and physical development, and many children have been accused of laziness who are suffering from thyroid deficiency. Thyroid disorder may be a complicating factor in obesity, and specialists have found that it is associated with many stubborn skin diseases. It is also claimed that iodine starvation influences mental make-up and emotional tendencies.

**Disfiguring Goiter**  
Simple goiter is a common disorder of the thyroid gland. At one time the very mention of this disease terrified girls and women, who feared the unsightly lump in the neck which disfigures the victim. Now, thanks to dramatic experiments, we know that simple goiter is an iodine deficiency disease.

**Animal Experiments Point the Way**  
In 1916, it was estimated that a million young pigs died annually in Wisconsin. Investigation disclosed that their thyroid glands were abnormally large and abnormally low in iodine. When iodine was administered to the mothers, the young pigs were born normal.

Scientists reasoned that if goiter could be prevented in animals, it could be prevented in humans, and undertook the now famous census in Akron, Ohio. A study was made of the thyroid glands of all school girls from the fifth to the twelfth grades. Almost 50 per cent were found to have enlarged thyroid glands.

The girls were given small doses of sodium iodide dissolved in drinking water at given periods over 2½ years. At the end of that time, investigators found that of 2,000 pupils, only 5 developed thyroid enlargement. Of the same number not treated, 500 showed enlargement.

**Danger Periods**  
This demonstration aroused the interest of the scientific world and gave impetus to additional experi-

**Send for This FREE CHART**  
**Showing the Iodine Content of Various Foods**

YOU are invited to write C. Houston Goudiss for a chart showing the foods rich in iodine and those which are poor in this substance. It will serve as a valuable guide in preparing balanced menus.

Just ask for the **Iodine Chart**, addressing C. Houston Goudiss, at 6 East 39th Street, New York City. A post card is sufficient to carry your request.

**Have You a Question? Ask C. Houston Goudiss**

C. Houston Goudiss has put at the disposal of readers of this newspaper all the facilities of his famous Experimental Kitchen Laboratory in New York City. He will gladly answer questions concerning foods and diet. It's not necessary to write a letter unless you desire, for post card inquiries will receive the same careful attention. Address him at 6 East 39th Street, New York City.

the water and soil, and the season, the iodine content being at a maximum in the autumn and winter.

In general, it may be said that the leaves of plants contain more iodine than the roots, and that leafy vegetables and legumes store more than fruits, with the exception of cranberries, which are a good source. When the soil is rich in iodine, watercress becomes a fine source of this substance.

**Iodized Salt**  
One of the most satisfactory methods for adding iodine to the diet, especially in goiterous regions, is through the use of iodized salt. In Detroit, a city-wide test of iodized salt reduced the prevalence of simple goiter from 36 per cent to 7 per cent. Similar figures have been cited for other localities. Iodized salt costs no more than ordinary table salt and is an excellent safeguard against simple goiter.

**Iodine in Drinking Water**  
Even in early times, it was believed that there was some relation between goiter and drinking water, and recent evidence has disclosed that there was a sound basis for this belief. Two investigators found that the water in a large part of the northern half of the United States falls into a low-iodine classification.

Several communities have given consideration to the prevention of goiter by the addition of iodine to the water supply. This method is commendable, but it must be borne in mind that wherever iodine is taken in forms other than food, careful supervision by the physician or the public health authorities is necessary.

**To those homemakers interested in planning the best possible diet for their families, I shall gladly send lists showing which foods are rich in iodine and which are poor in this substance.**

**Questions Answered**  
Miss S. G.—There is no justification for serving toast at every meal instead of bread. It is true that proper toasting changes some of the starch to dextrine which is quickly and easily digested. But laboratory experiments reveal that the proteins of toasted bread and crusts have a lower digestibility, and animals gain less weight when fed on them than on the untoasted bread and the inside crumbs of the loaf.

Mrs. E. R. S.—The average meal leaves the stomach within four hours, though a large meal may stay for five hours. However, the length of time food remains in the stomach is only a fraction of that required for the entire digestive process, which varies in normal individuals from 12 to 47 hours. Carbohydrates leave the stomach most quickly, proteins are next, and fats require the longest period.

Miss C. T.—Agar-agar is a non-irritating, indigestible carbohydrate. As it is not digested, its caloric value is zero, and it could not possibly be fattening.

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Graceful Butterfly New Crochet Idea  
Pattern No. 6031.

There's graceful beauty in every stitch of this butterfly which you'll find charming for a chair set, buffet set or scarf ends. Crochet it in string . . . the same medallion makes the center of each wing and arm rest. Fascinating pick-up work that's easy to do. In pattern 6031 you will find directions for making a chair or buffet set, and scarf; illustrations of the chair set and of all stitches used; material requirements; a photograph of the butterfly.

To obtain this pattern, send 15 cents in stamps or coins (coins preferred) to The Sewing Circle, Household Arts Dept., 265 W. 14th Street, New York, N. Y.

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## AUNT MAY TILGY'S

### Damson Conserve

personal trial and error. We have too much else to do. The experiments, the search for new and better ways take place in million-dollar laboratories! To tell you of his success, the manufacturer advertises.

Here, in the pages of this newspaper, is a seasoned section of the old family cook-book. National advertisers bring you formulas and recipes perfected by greater experience than one family could ever achieve. . . tested by greater labor than one woman could give in a lifetime. Read them today . . . and rejoice that you live in a modern world!

• Lizzie Lowry's Elderflower Cordial . . . Mrs. Horton's Recipe for Crumb-Cake . . . Goose-grease Ointment for the Quinsy. How carefully they were guarded—those faded, handwritten formulas in heavy old recipe books! Your mother and grandmother originated them. . . tried them . . . proved them, then put the priceless results away affectionately for the daughter who would some day marry.

Assurance of excellence does not come, nowadays, by the slow, costly process of