

HUGHES' ABILITY IS INDISPUTABLE

(Continued from page one)
 1. Together with a personal appreciation of his own intellectual attainments so intense as to enable him to look down from Olympian heights upon the rest of mankind. It is thought here that it would have been something of a pity to have permitted without a protest such a man, graciously accepting as merely his due the almost unanimous chorus of journalistic and individual eulogy to become Chief Justice of the United States.

Conduct Seldom Debatable

2. In the second place, the Supreme Court of the United States occupies so high a position in the respect of the American people that except in the larger political crises of their history its conduct is held not to be debatable. When its decisions are challenged, as they were challenged in the Senate last week, it may be taken for granted that there is an accumulated discontent of a far-reaching nature. This inference is made all the more impressive by the fact that no question has been raised touching Mr. Hughes' personal integrity or his competence. The debate originated in a protest against the policy at the root of recent decisions of the majority of the court, and in the belief that Mr. Hughes as Chief Justice would lend his great authority to the continuation of these policies.

3. The debate brought out unmistakable evidence of a growing conviction that the court in recent years has pursued a line of policy out of harmony with the needs and the interests and the ideals of a very powerful part of the American people. There would seem to be little difficulty in determining what is the line of policy in the decisions of the court which has provoked this protest, which is undoubtedly directed against the fact that during the last decade the Federal courts have to a greater or less degree undermined the power of the states and municipalities to regulate natural monopolies and in effect have taken the regulatory power into their own hands. It is this conviction which found its expression in the protest against Mr. Hughes.

4. However, apparently no one attempts to justify the intemperate attack upon the Supreme Court by Senator Dill, Democrat, and Senator Brookhart, so-called Republican, because it is not radical enough to suit them. They speak of popular unconstitutional acts of Congress. It is considered fortunate that Senator Dill does not speak for the Democratic party nor Senator Brookhart for the Republican party in this assault upon the judiciary.

Little Support for Dill

In our Supreme Court rests the

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security of the American people against unconstitutional legislation. If this Republic is to endure, the authority of that court to apply the test of the Constitution cannot be taken away. That authority is the cornerstone of the Constitution itself. It was put in place by a people who were determined not to become the victims of legislative or executive usurpation. No one objects to reasonable progressivism, nor possibly to temperate radicalism, but when the Senate is infested with extremists who would not hesitate to tear down the constitutional immunities of the people the power of the Supreme Court to hold Congress within the confines of the Constitution is more important than ever before.

5. Senator Dill's proposal to "reform" the court, both by intimidating the present justices and by preventing the confirmation of any nominee who is not a radical, will find little support in either of the two great parties. To the honor of the Senate be it said that both political parties represented in it are resisting the temptation to play politics at the expense of the integrity of the Supreme Court. When a great Democrat, a former Confederate officer, was nominated Chief Justice he received the approval of Republican Senators, and when Charles Evans Hughes was nominated he was confirmed with the help of Democratic votes.

Harrison True Spokesman

6. The true spokesman of the Democrats in the Senate during the recent debate over Chief Justice Hughes was Senator Harrison, of Mississippi. It is thought here that Senator Dill is as far from expressing true Democratic sentiment toward the Supreme Court as Senator Brookhart is from expressing Republican sentiment. Both of them would seem to be out of step with their parties and with the American people.

7. With the tariff bill tight and fast in a Senate jam, with House leaders in revolt against legislative delays, with business suffering throughout all sections of the country and with the Democrats charging the party in power with lack of leadership, Washington is wondering what President Hoover will do. It is agreed that in these circumstances the natural thing is for him to go straight to the country in a ringing speech, describing conditions in Washington and putting the responsibility for much of the business uncertainty upon the shoulders of Congress. That is the way other Presidents have done when they found themselves powerless to influence Congress by any other means.

8. All phases of the present apparent aimlessness of Congress, of the reaction upon business, of the misfortune that would ensue if the appropriations bills are delayed, and particularly of Senate "recalcitrancy" were discussed at a White House breakfast without developing any plan of leadership. And, so far as President Hoover is concerned, it doesn't

look as though there would be any real leadership.

MACON JURORS TO GO TO CLAY

(Continued from page one)

ing men to appear as jurors at Hayesville, in Clay county, on Tuesday, April 29, 1930:

"N. H. Ray, Ed. V. Shope, Geo. T. Owenby, John M. Brabson, J. J. Shepherd, Joshua Rogers, Budd Ledford, A. L. Leach, Furman Hall, W. L. Higdon, B. M. Horn, J. E. Wooten, John D. Gribble, W. L. Bradley, J. J. Kiser, E. C. Painter, W. T.

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Fouts, D. J. Baldwin, E. A. Huggins, Austin Welch, Polk Patterson, Lester Waldrop, W. M. Barnard, Charlie

Carnes, Z. V. McKinney, Floyd Martin, J. E. Myers, Norman Woody, Harley A. Smith, Ed Cloer."

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