so that it may expand its organization, and straight upon the heels of this the swiftest possible legislation for a billion dollar unemployment "prosperity loan" along the lines suggested by the Emergency Committee for Federal Public Works.

Half-way measures have become criminal negligence. Let us discuss details no longer. Let us act.

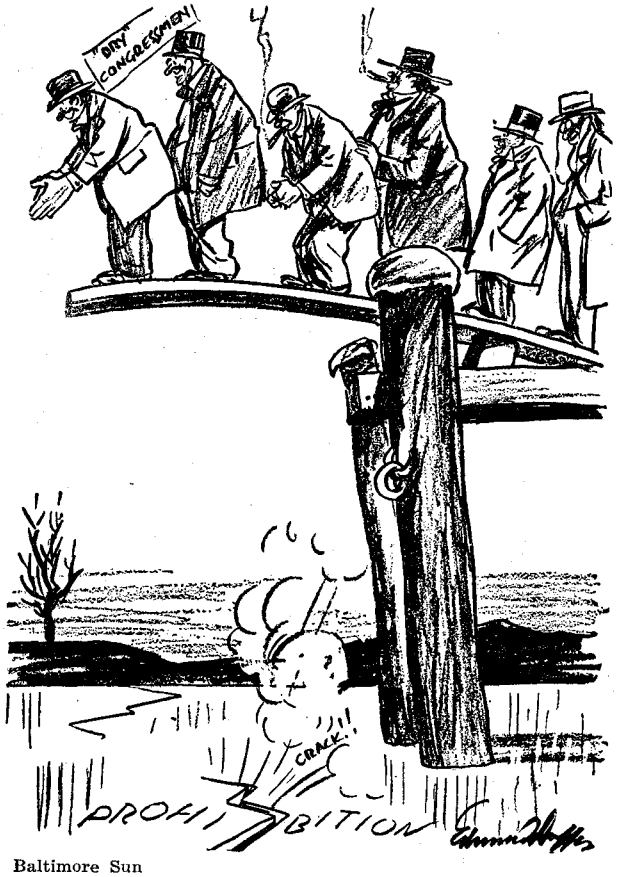
Backstage in Washington

WASHINGTON, D. C.

IN VIEW of the cheerless political outlook on Capitol Hill and in White House environs, it is pleasant to report that the nine elderly gentlemen exiled by presidential appointment to a place far more important than legislators or presidents show liberal leanings of a definite nature. We refer to the Supreme Court of the United States, which, we like to think, is going out of its way to demonstrate that the damning it received at the hands of the Senate last spring was unwarranted.

Sweet as it is to contemplate the thought of such spoofing by these Olympians, we are informed that the change of attitude is based on deeper premises. Not the least is the new member, Associate Justice Owen J. Roberts, who seems to be bearing out our prediction that, despite a legal record which indicated no strong streak of liberalism, he would prove himself, in time, another Holmes or Brandeis come to the bench. It is, of course, too early to pass permanent judgment on him, but we understand that he has been captivated by the minds of those two sturdy spirits. In fact, we hear that Justice Roberts has given a great deal of his judicial apprenticeship to perusal of the dissenting opinions of Justice Brandeis. It is telling no tales out of school—except those which seem worthy to tell—when we say that Justice Roberts had long appreciated Justice Holmes's minority moves, but was not so well acquainted with those of the more boyish Bostonian.

Even more surprising, and to us more significant, is the emergence of Chief Justice Hughes as what, for want of a better term, we may call a liberal. In several decisions he has amazed close observers of the court, who now take to the theory that the Chief Justice, as often happens, has reverted to the progressive philosophy which he not infrequently displayed in his younger days. The pressure of politics and the exigencies of the law, this school holds, are now behind Mr. Hughes, and the dissenting strain of his ancestors is beginning to assert itself. As Secretary of State, for instance, he frequently found it necessary to subordinate his ideas to those of a president, even though it was only Calvin Coolidge, and, as a lawyer, he was most certainly circumscribed by his clients.



Baltimore Sun

With the ice cracking, the boys are preparing to get damp

Thus it may come about that in future days of far-reaching decisions affecting investment trusts, holding companies, radio, aviation, railroad revaluation and the whole social and economic structure of a new age we may see the perilously parochial program of Congress and the Administration unmade and widened by a socially minded Supreme Court.

We realize that Chief Justice Hughes and Justice Roberts may yet disappoint our expectations, leaving only three men of liberal mould on the tribunal—Holmes, Brandeis and Stone—but nevertheless we have high hopes. Moreover, the permanent conversion of Mr. Hughes would have a greater effect than is generally understood. With all deference to members of the court, we have observed that at least one or two tend to follow the Chief Justice, if he be not too much in error, much as sheep trot after their bell wether.

If he is aware of what is happening in the monastic chamber where our lawgivers sit, President Hoover must derive a grim sort of satisfaction, in the light of condemnation heaped upon his appointment of Mr. Hughes, and the Senate's refusal to confirm Judge John J. Parker of North Carolina. Though we sympathized with the Senate in both instances at the moment, we give Mr. Hoover credit for a sincere desire to leave as his monument a Supreme Court in spirit with the age, and attribute his nomination of Judge Parker to a momentary succumbing to political considerations. We do know that in talking with his closest friend on the bench—Justice Stone—he has often expressed his purpose of remaking it with more men of the Holmes-Brandeis-Stone sort.

He will, we hear, soon get a chance to reform it nearer to his heart's desire—whatever that may be—since we understand that Justices McReynolds and Sutherland, failing in health, may not outlast Mr. Hoover in office should he be reelected. Inasmuch as both these members are extreme conservatives, though of opposite political faiths, it would be a heartening sign if men of social conscience like Benjamin Cardozo of New York and William S. Kenyon of Iowa were named in their places.

We have noted, however, that few presidents seek to pack the court with liberals or conservatives, preferring to divide the honors. Roosevelt, for instance, named such contrasts as Holmes and Van Devanter, Wilson such different types as Brandeis and McReynolds.

The new court—and this is most important—has descended from its mount of aloofness. Justices Stone and Roberts are both affable and approachable. And the philosophic Brandeis, we hear, frequently deprecates the public belief that they are "untouchables," whereas, in reality, most of them are jolly good, though judicial fellows. A. F. C.

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The Voice of the Corn Belt

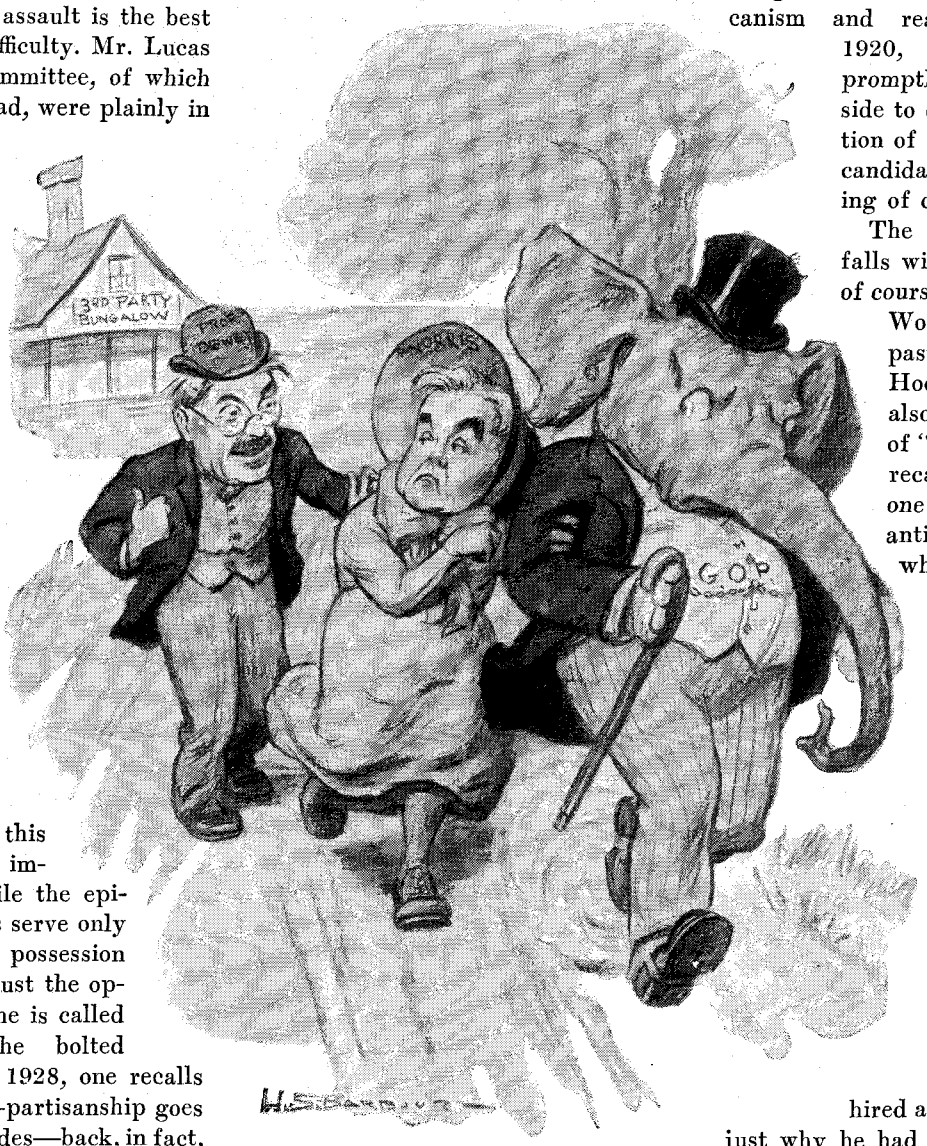
Senator Norris—Square Peg in the G. O. P.

By FREDERICK R. BARKLEY

WHEN Robert H. Lucas and Representative Will Wood recently fell upon Senator George W. Norris with cries of "renegade," "demagogue," and "dictator," the public was obviously expected to conclude that something highly improper about the nature of the Nebraskan's Republicanism had just been discovered. The attacks were based, of course, upon the old theory that a strong assault is the best defense in time of difficulty. Mr. Lucas and the National Committee, of which he is the executive head, were plainly in difficulties, for it had just been discovered that they had cooperated in using cash and influence in an "undercover" attempt to defeat Norris for re-election in the recent campaign. Ironically enough, however, the chief consequence of these assaults has been to bring to the country's attention, in greater measure than ever before, the unique position which Norris holds in the public life of today.

Merely to summarize the aspects of this uniqueness makes an imposing structure, while the epithets hurled at Norris serve only to point his unusual possession of characteristics of just the opposite nature. When he is called renegade because he bolted Hoover for Smith in 1928, one recalls that his record of non-partisanship goes back nearly three decades—back, in fact, to his successful battle to overthrow Cannonism in the House in the dim prewar days—and that it is rather late to raise the accusation against him now. If the people of Nebraska object to the kind of Republicanism which Norris exemplifies, they long ago had ample notice of it.

In fact, George William Norris stands forth today, in an era of partisanship, as the one conspicuous exemplar of that abhorrence of party and "faction" to which the makers of the Constitution held. Not only has he practiced it continuously and conspicuously and uniquely, but he has voiced it as a formal political philosophy and sought to bring it about by the abolition of the Electoral College which the parties and factions of the '30's converted from its original purposes to their own partisan ends.



THE LITTLE BUNGALOW IN THE WEST

Dewey may want it, but Norris does not

Messrs. Lucas and Wood, by their recent assaults, may have established a new definition of Republicanism, but by its tenets Norris, whom they now declare a Democrat, becomes just as bad a member of that party as of his own. For while, in the earlier days of the Wilson régime, the Nebraskan supported those Democratic policies which he held good, he had no hesitancy in turning against Wilson's appeal for American entry into the War, nor against Wilson's later advocacy of the League of Nations. And when Republicanism and reaction triumphed in 1920, Norris turned as promptly to the Democratic side to campaign for the election of Democratic Senatorial candidates and for the unseating of corrupt Republicans.

The "renegade" epithet falls with unconscious humor, of course, from the lips of Mr. Wood, who in the recent past denounced Mr. Hoover as a Democrat also. So also does the cry of "demagogue" when one recalls that Norris was one of the little band of anti-war Senators of 1917 who faced defeat by their unorthodox stand. In this action Norris was not unique, but his response to the wrath of war-bent Nebraska certainly was. This "demagogue" took the unpopular position with the necessity of standing for re-election only a year away. But Norris did not wait for that. Instead, when his state's anger rose against him he went back home, hired a hall, told his audience just why he had voted as he had, and then promised that if the Governor would call a special election he would resign forthwith and face any candidates put against him in a referendum on his action.

The charge of dictatorship falls with equal flatness against a man who rose nearly six years ago to the unquestioned leadership of the Senate Progressives of both parties, but who has persistently

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