

## Says Chancery Guards Labor

### Receiver for Union Opposes Injunction Bill. Cites Criticism of Court

Citing his own experience as a labor union receiver to prove Chancery protects labor's interests, M. Caswell Heine today criticized Assembly 108, the so-called anti-injunction bill.

Heine, a lawyer, declared: "In a complex industrial society the injunctive powers of the court necessarily require the greatest flexibility that justice may be done with due regard to the rights of the public and the parties."

Heine referred to the recent instructions given him by Vice Chancellor Berry to file a bill against motion picture theater owners, who were allegedly seeking to vitiate contracts with Local 244 of the Operators' Union.

Criticism of the court, Heine declared, is in reality criticism of its personnel, and the latter is the direct result, he added, of the elective system, or of an appointing system which is unresponsive or neglectful of its duty to make judicial appointments of the highest class. He said "tactless personnel" in the court or other reasons might account for criticism in isolated cases.

**In Long Run Beneficial.**  
Despite a great deal of controversy, the power of the court had in the long view been beneficially exercised, he asserted. The American idea of "passing a law" has proved ineffective throughout our history, he declared, citing the prohibition amendment.

His statement continued: "Because of the flexibility of Chancery practice that court has been unable to keep pace with the devices of fraud and deceit invented by our modern 'gentlemen of the road' while the law courts and the statutes have lagged far behind."

"It is perfectly true that employers are sometimes selfish and corrupt, but it is equally true that labor has not always chosen as its leaders those who act unselfishly and who are entirely free from the influence of bribery and graft."

"This fact vitiates many of the criticisms leveled against particular court decisions but in no way affects the principle that the court should be left free to deal with situations involving labor and capital in the light of knowledge of the character of good and bad representatives of each class."

**Quotes Vice Chancellor.**  
Heine quoted Vice Chancellor Berry's statement in open court last Wednesday, when the matter of the motion picture operators' contracts came up:

"Unfortunately there seems to be prevalent an idea that the Court of Chancery is exclusively an employer's court and that the employee has no rights here, that capital only may be admitted to its portals and that labor must remain outside. That this is an entirely mistaken idea is well known to every lawyer and layman who has the slightest knowledge or conception of the history of the Court of Chancery or of its basic principles."

"That equitable processes have not been more frequently invoked by the employee is due to the fact, mainly, that labor organizations have uniformly evinced a preference for strong-arm methods in the attainment of their objectives. But these equitable principles are nevertheless frequently applied by this court for the protection of the employee."

Heine also quoted from a decision in which Chancellor Campbell speaking for the Court of Errors and Appeals declared:

Phillip Hanapole, Bernard Spingarn and Harold Epstein, Dana College representatives are Heuser, Graves, Irving Rosenbaum and David Schotinfeld.

## Would Revive Boys' Club

Randall D. Warden, director of physical education in Newark schools, said today he had been asked by Juvenile Court Judge Joseph Siegler to call a meeting of members of the organization which sponsored the Downtown Boys' Club. The meeting will be at 4 P. M. May 1 at the Hall of Records. The boys' club's long service, Warden said, merits its re-birth.

## Charges Against Chancellor Urged

### Essex Trades Council Asks Impeachment for Remarks on Injunction Bill

Impeachment of Chancellor Campbell because of his statement opposing Assembly 108, designed to limit issuance of injunctions in labor disputes, was urged by the Essex Trades Council last night at Labor Lyceum.

A committee of three was appointed to attend a meeting of the Citizens' Anti-Injunction Committee at 4 P. M. today at 9 Clinton street. Plans were made to transport more than 100 delegates to Trenton Monday night to attend the Senate session.

A letter from Vincent J. Murphy, secretary of the State Federation of Labor, urged those interested in the welfare of labor to be in the Senate Monday night to support the bill. Delegates also will urge Senator Cleo to vote for the measure.

Murphy in a telegram today to The Newark News said:

"No one regrets the incident with the chancellor any more than we do and likewise we regret the action and misleading telegrams and publicity of the Essex County Bar Association. The true facts are out of about 500 members from among 1,500 lawyers practicing in Essex County, the sentiments indicated forty-four against and twenty-three for Assembly bill 108 out of about seventy members in attendance."

### Student Strike Denied Support

The council refused to support a student strike called for Wednesday by the American Student Union, Miss Ann Bathin of Essex Junior College, Essex County representative of the union, asked support in the union's fight against war and Fascism.

Secretary O. Henry Grous pointed out radical tendencies have been attributed to the movement. He opposed children's participation in the strike.

### Two Withdrawals Sought

Those nominated were Charles J. Grady of the printing pressmen, David Herman of the cafeteria workers, David Brown of the bookbinders and Edward Slater of Teachers' Local 37. Attempts will be made to have Brown and Slater withdraw in favor of Grady, a conservative.

Grady has the support of the Building Trades Council and part of the votes of the Allied Printing Trades delegates, with some of the latter in favor of Brown. Grady also has the support of delegates of other major crafts.

Herman is the nominee of the liberals. If the conservatives are able to persuade Slater and Brown to withdraw, Grady is expected to win.

The secretaryship pays only \$7.50 a week but the position carries considerable prestige.

## Post Office to Be Dedicated

### City and Federal Leaders Speak at Ceremony This Afternoon

City and federal leaders will speak this afternoon at the dedication of the new Newark Post Office as an event in the city's charter Centennial Celebration. Flags will be presented to the building by veterans' organizations prior to the talks.

The speakers will include Jerome Congleton, chairman of the executive committee of the Centennial Celebration and former mayor; Frank J. Bock, former postmaster; Alan Mills of the Treasury Department; and Smith W. Purdum, fourth assistant postmaster general. Postmaster Sinnott will preside.

Mayor Ellenstein also had been scheduled to speak, but is in Uniontown, Pa. at the bedside of Mrs. Ellenstein, injured in an air crash. His speech will be read by Denis F. Kelly, deputy director of the Department of Public Affairs.

### Flags Presentation

The flags, presented by Newark Post No. 10, American Legion, and Bertrand Kinnaman Post, 1439, Veterans of Foreign Wars, will be raised by John H. Laux and his brother Theodore, past commanders respectively of the two units. Thomas J. Dungan is now commander of the Legion post and Charles Hawkins is commander of the other unit.

The Squadron of Newark Post 10, Sons of the American Legion, under Director Leo Schweizer will be guard of honor. Captain Burwell H. Clarke Detachment, Marine Corps League, with its drum and bugle corps and Golding Guard under command respectively of Commandants John Whigam and William J. Doyle will be color guards. Others assisting aides include James M. Caffrey, Frank V. Lanzara, Matthew J. Lynch, Samuel Cobb, Samuel M. Hollander, Charles Duerr and Gerard Bakelaar.

After the conclusion of the dedication ceremony, expected to take an hour, there will be a two-hour inspection of the new building. The cornerstone of the building was laid by Postmaster General Farley April 21, 1934, and the edifice was opened for business last March 30.

## State Funds Low, Deficit Foreseen

### State Treasurer Calls Balance Lowest in Years. Would Halt Diversion

**Trenton Bureau.**  
TRENTON—State Treasurer Albright declared today the balance in the state fund is the lowest it has been in years. He said he anticipated a deficit at the close of the fiscal year, June 30.

Albright's statement follows: "The state's financial position today is, to say the least, not attractive. This is due to the diversion of millions of dollars from the general state fund, motor fuel tax fund and highway system fund to emergency relief. To attempt further diversion from any of these funds will mean repudiation of contractual obligations and debt service."

The general state fund balance of \$2,671,032.64 is the lowest in many years and based on estimates of receipts and expenditures for the remaining two and one-half months of the fiscal year, will show a deficit of several hundred thousand dollars on July 1.

## Tax Bill Ready, Revenues May Be Inadequate

### Not Trying Definitely to Balance Budget, Chairman Says

WASHINGTON (AP)—The new \$1,127,000,000 tax bill revised materially from President Roosevelt's suggestions, is ready for House action next week. Democratic members of the House ways and means committee voted at a secret meeting last night to sponsor it as drafted by a subcommittee.

As there are eighteen Democrats and only seven Republicans on the committee, Democratic approval was tantamount to final full committee endorsement, expected formally Monday.

It was admitted the bill may fall short of the President's request for \$782,000,000 annually for three years and \$820,000,000 a year thereafter to finance farm relief and bonus costs. The bill does not include new processing taxes, as recommended by Roosevelt, but otherwise cleaves to his main proposals for balancing the ordinary budget.

It calls for tax reform in levying a tax on undistributed corporate profits, provides for a "windfall" levy to collect unpaid processing taxes and temporarily continues present corporate excess profits and capital stock levies.

### Yield Uncertain

Chairman Hill (D., Wash.) of the tax subcommittee said: "We are not working to the definite end of balancing the budget, but we are hopeful that the revenue will approximately balance the ordinary budget."

The fact the Treasury, in reply to questions, was unable to clarify the dispute over yield, left unanswered the question of how close the measure in its present form meets White House revenue demands.

The President asked that revenue wipe out the \$517,000,000 deficit resulting from Supreme Court invalidation of the AAA, permanent new revenues of \$120,000,000 annually to cover bonus costs and \$500,000,000 to finance the permanent farm program.

Committee Democrats admitted that, on paper at least, the measure would fall at least \$345,000,000 short of the revenue over a three-year period sought by the President.

### Bill's Provisions

The measure calls for:  
One—A graduated tax on undistributed corporate profits to supplant ultimately present corporation taxes.

Two—A 90 per cent tax on income from processing taxes prior to invalidation of the AAA which processors cannot prove were paid by them and not passed on.

Three—Temporary retention of the capital stock tax until June 30 at half rate and continuance of the excess profits tax for the present taxable year.

Four—A \$35,000,000 refund from taxes imposed on floor stocks under the AAA and refunds in cases where processed commodities were sold to charitable institutions or exported.

Five—A special flat 15 per cent tax on earnings of banks and insurance companies, which would be exempt from the new corporate profits rates.

Six—A 22 1/2 per cent rate instead of the graduated profits tax on corporation earnings used to pay off incurred debts, with certain restrictions.

Seven—A 10 per cent tax on income received by non-resident aliens from domestic corporations.  
Completed.



An American Empire I 1830's, reconstructed on floor of the Newark shown here. There is a b mantle with Franklin screen, Duncan Phyfe lamps and sofa and port and Mrs. J. Davis Coe painted in 1827 by James Photo by Eickenbush, Newark Museum.

bring about Mexico's from the League of Nations. Candido Aguilar, a League is "nothing more than a \$90,000 annual instrument of Powers who turn it to ends in settling continent with which Mexico is not period sought by the President.

**Try Ticket Speculation**  
LENNINGRAD (AP)—The managers and other high Leningrad theaters went day on charges of speculation and defrauding.

## Lord Will Ren In Delegate

### Borah Supporter De Was Asked to Wi Senator to Talk I

Colonel William A. Lorr date for delegate-at-large republican National Convention supporter of United States Borah, denied today he would draw.

Colonel Lord said a dist Trenton stated "negotiated proceeded in attempt to the only Borah-pledged candidate, to withdraw. "This is not true. I have requested either directly or by anyone to withdraw." Senator Borah will speeches in New Jersey