

RULING ON RADIO FAR-REACHING

NEW YORK, May 11.—(AP)—A Supreme Court decision upholding half a dozen regulations of the Federal Communications Commission, and particularly one striking at the long-established practice of obtaining exclusive options from local stations by networks to channel their programs out to the country, raised before the broadcasting industry today the prospect of an essential change in many of its business relations.

The court's action, announced yesterday in Washington, was a victory for the commission itself and for Mutual Broadcasting System, which had intervened and fought its competitors, National Broadcasting Company and Columbia Broadcasting System.

N. B. C. and C. B. S. indicated themselves hard hit in this decision, one of the most important to the networks since nation-wide broadcasting began, and through their top executives expressed hope that what N. B. C. termed "wisdom" would be shown by the commission in administering its regulations—regulations now confirmed by the court after litigation going back to October of 1941.

Troubles Explained The argument of N. B. C.—and it was joined in the court attack by C. B. S.—had been that the commission's proposal to knock out the option system, under which the networks arranged through long-term agreements with hundreds of local stations to broadcast their national programs, would put the network in the position of having to try to plan its national programs and sell its advertising time on "if, as and when" basis having to negotiate individually with scores of stations until all of them had agreed upon a time that they would carry the program.

National advertising contracts, it was said, customarily are made on the basis of a year, and thus "optional time is as necessary for the practical operation of network broadcasting as traffic lights are for the practical flow of vehicular traffic."

System Unfair, Says Mutual Mutual, which intervened before the court against N. B. C. and C. B. S., argued for its part that under the old regulations it had been under unfair competitive handicaps and that the commission's regulation against exclusive option time still would give its competitors an "entirely sufficient clearance" for a three-hour "segment," the broadcasting day being divided into four such segments.

The long disputed rule, called "3.104" in the trade, thus reads as to network options—that is, the hour at which a station has agreed to carry a national program.

"Such options may not be exclusive as against other network organizations and may not prevent or hinder the station from optioning or selling any or all of the time covered by the option, or other time, to other network organizations."

The argument of N. B. C. has been that this would mean a scramble for the best hours of such scope that it would be difficult to promise an advertiser, and carry through with it, fixed stations at fixed hours for his national programs.

WASHINGTON, May 11.—(AP)—Mine operators, protesting the absence of John L. Lewis, United Mine Workers president, from hearings on their wage controversy, demanded today to know about any evidence that might be considered in private by the War Labor Board panel appointed to examine the facts of the argument.

"We were summoned here by the War Labor Board," said Charles O'Neil, president of the northern operators, "and Mr. Lewis should have been here. We say that we should know about anything that is going to influence the judgment of this panel."

Chairman Morris L. Cooke of the panel assured O'Neil that the operators would be advised of any additional information considered in closed session.

Cooke announced that tomorrow's scheduled opening of the anthracite hearings had to be postponed indefinitely because negotiations still are in progress. He said also that officials from the Office of Price Administration and the Labor and Agriculture Departments would be consulted tomorrow on food problems in the coal producing areas.

Ridges in the bottom of a new type feeding bowl require dogs to lick up their food slowly instead of gulping it.

Lieut. Russell, Former U. Man, Receives D. F. C.



LIEUT. (j.g.) ALLARD G. RUSSELL Instructor at Daytona Beach

For his effective strafing and bombing attacks on the Japs during the initial American landings on Guadalcanal, Lieut. (j.g.) Allard G. Russell, former University of Washington student, has been awarded the Distinguished Flying Cross, the 13th Naval District announced today.

Russell, who returned from the Pacific battle area last November, is stationed at Daytona Beach, Fla., as an instructor.

The citation which accompanied the award follows: "For heroism and extraordinary achievement as pilot of a scout bomber in action against enemy Japanese forces during the raid upon and occupation of Guadalcanal, Solomon Islands. With courageous initiative and complete disregard for his own personal safety, Lieutenant Russell sought out and destroyed assigned hostile anti-aircraft positions by vigorous bombing and strafing attacks which resulted in severe loss of life and equipment to the Japanese."

"By his effective aid in compelling the enemy to retire, he helped make it possible for our forces to occupy the area without opposition. His grim determination and unyielding devotion to duty were in keeping with the highest traditions of the United States naval service."

Lieutenant Russell's wife, the former Edith Herber, who was secretary to the dean of women at the University of Washington prior to her marriage, is also at Daytona Beach. They are the parents of a 5-month old son.

RESTORE SOLONS' TARIFF POWERS

—Say Republicans

WASHINGTON, May 11.—(AP)—Republican Leader Martin, of Massachusetts, today announced a conference of his party's house members has developed "a great deal of sentiment" to give Congress veto powers over President Roosevelt's authority to negotiate reciprocal trade agreements.

Shortly after the party conference adjourned, Representative Reed, Republican, New York, told the House that "Congress has an opportunity here and now to recapture its power over the tariff and stop this trend of abdication in favor of the executive branch."

Democratic leaders contend the veto provision, if passed, would kill the reciprocity program, which is up for renewal beyond the June 12 expiration date. A vote is due tomorrow.

Representative Cooper, Democrat, Tennessee, contended in the House that there is adequate legislative supervision now in that the authority, first granted in 1934, comes up each three years for review and renewal.

City Control Over Sales of Poison Urged

New regulations which would permit the city to exercise a measure of control over the sale of poisons were suggested today by Mrs. F. F. Powell, city councilwoman, as a result of a number of recent dog poisonings.

Mrs. Powell made her suggestion to the City Council's public safety committee, with the recommendation that Corporation Counsel A. C. Van Soelen determine what steps could be taken.

"The city law in no way prohibits the sale of poison," E. W. Hines, manager of the King County Humane Society, reported to the committee, "but the state law is specific in that any person of lawful age may purchase strychnine, arsenic and other poisons for rodent extermination, etc."

However, we have found that people purchasing such poison usually buy under an assumed name and fictitious address. . . . So long as the law is such, we may expect these atrocities (dog poisonings) to continue."

SKIP-YEAR PLAN TO RAISE TAXES

—Says La Follette

WASHINGTON, May 11.—(UP)—Senator Robert M. La Follette, Progressive, Wisconsin, today protested that the skip-a-year tax bill approved by the Senate finance committee inevitably means higher taxes in the next 12 months for individuals making from \$1,500 to \$15,000 a year.

"To enact legislation at this time, forgiving existing tax liabilities, will compel Congress to raise tax rates later this year," La Follette said in a one-man minority report explaining his opposition to the tax bill, which the Senate will begin debating tomorrow.

Expected to Pass Seven other committee members also opposed the bill, but they did not sign La Follette's report. There were increasing indications the Senate will pass the committee's version of the Ruml plan.

"Those who vote now to cancel taxes already assessed and partly collected must take the responsibility of raising the tax levies on millions of people in the middle and lower income groups some time during 1943," he said.

More Than Income Spent La Follette presented a table showing that "income groups under \$10,000 a year and particularly those under \$2,000 would be most seriously burdened (by higher tax rates) because of the larger percentages of their incomes that go to consumption."

The table showed that an individual with an income of \$500 to \$1,000 a year spends 104.4 per cent of that income (actually more than the total) in purchasing necessities and luxuries of life. It ranged down to 33.4 per cent of total income for those purposes for those making \$10,000 or more a year.

Senate, House Bills for Income Tax Compared

WASHINGTON, May 11.—(AP)—Here is a comparison of the major points of difference between the House-approved current collection tax bill and the Senate committee's version of the Ruml-Carlson measure:

TAX ABATEMENT House—Wipes out 6 per cent normal and first 13 per cent of surtaxes on all 1942 incomes, making about 90 per cent of taxpayers current by eliminating liabilities for single persons up to \$2,500 net income and married persons up to \$3,200 (with \$350 for each dependent.) Upper-bracket incomes above first 19 per cent taxed in regular way, payable the following year.

Senate—Eliminates the lower of 1942 or 1943 tax liabilities for all taxpayers, putting all on a current basis except for about 3 per cent with "windfall" income.

WITHHOLDING House—Withholds 20 per cent of wages and salaries, beginning July 1, above basic exemption of \$552 yearly income for single persons and \$1,220 for married, with \$408 additional exemption allowed for each dependent.

Senate—Withholds 20 per cent of wages and salaries, beginning July 1, above basic exemption of \$24 yearly for single person, \$1,248 for married person, with \$512 additional allowed for each dependent.

WINDFALLS House—No comparable section. Senate—Requires establishment of "normal" income year and comparison with income in 1942 or 1943, whichever is lower and thus abated. Normal year's income may be highest received in 1938, 1939 or 1940, plus \$10,000. This amount is deducted from the amount of income on which the tax has been abated and an additional tax is paid on the excess at 1943 rates. This excess tax could be paid over three years.

ARMED FORCES House—Provides blanket exclusion of \$3,500 basic government pay received by military personnel from income taxes whether married or single.

Senate—Excludes \$1,500 basic government pay over the above basic exemptions for other citizens, making exemption for single military personnel \$2,000 and for married \$2,700.

WASHINGTON, May 11.—(AP)—Don't count your chicken dumplings before the alarm clocks have hatched, but you m-i-g-h-t be able to kill the old red rooster soon.

The Office of Price Administration today set a ceiling price of \$1.65—plus taxes—on the new "war alarm clock" effective tomorrow.

In addition to the \$1.65, buyers will have to pay 10 per cent federal excise tax, as well as local sales taxes, if any. Hard sleepers though reportedly have paid as high as \$9 for alarm clocks because of the acute shortage.

Still coyly hiding backstage somewhere, 100,000 of the war-model clocks, with revised steel innards to save brass, have definitely been made, the War Production Board revealed, but the date of their public appearance remains in the unspecified future.

Defense workers at shipyards and war plants will probably get first crack at the elusive sleep-destroyers.

U. Sponsors Farm Labor Aid MOSCOW, Idaho, May 11.—(AP)—The University of Idaho Agricultural Extension Service announced today it had launched a state-wide "emergency farm labor program" and would establish a headquarters office at the Statehouse in Boise.

D. L. Fourt was given leave from his professorship of dairy husbandry to become supervisor, the announcement said.

FAHY DEFENDS CURFEW ON JAPS

WASHINGTON, May 11.—(AP)—Defending military regulations imposing a West Coast curfew on all persons of Japanese ancestry and excluding them from designated areas, Solicitor-General Charles Fahy told the Supreme Court today that the Pearl Harbor disaster had "left the West Coast exposed to destructive enemy attack" and it was "imperative that those charged with the defense of our shores take adequate protective measures against a possible invasion."

Fahy urged the court to sustain the conviction of two persons of Japanese ancestry who contended they were born in the United States and hence were American citizens against whom the regulations could not constitutionally be applied.

Man Held Dangerous Gordon Kiyoshi Hirabayashi of Seattle was sentenced to three months' imprisonment for violating the curfew regulation and for failing to report to an evacuation center. Minoru Yasui of Portland, Or., was sentenced to one year's imprisonment and fined \$5,000 for violating the curfew regulation.

Approximately 70,000 American citizens of Japanese ancestry were said to have been evacuated from their homes.

"The great majority of persons of Japanese ancestry in this country are seriously burdened (by higher tax rates) because of the larger percentages of their incomes that go to consumption."

The fact that the so-called fifth-column type of warfare had been so apparent successful in recent years, and the fact that there had been evidence of extensive espionage at Pearl Harbor, made it imperative to take adequate precautionary steps.

"Disgraceful" Situation "Although it may be assumed that the majority of the Japanese residents on the West Coast were loyal to the United States, the very presence of the entire group presented grave danger because that group comprehended an unknown number of unidentified persons who constituted a serious threat."

"The exigencies of war may demand the imposition of restraints that would be unwarranted in times of peace. Indeed, an individual may be required to give up his freedom and lay down his life. The curfew and exclusion measures are certainly less drastic than compulsory military service."

Fahy spoke after E. F. Bernard of Portland, counsel for Yasui, had asserted that "the curfew law was the first assault on the constitutional rights of American citizens of Japanese ancestry, but it was the initial one which led to the disgraceful situation where American citizens are staring through barbed wire barricades on this land of freedom."

"Recent European history," Bernard added, "should make plain to us the danger of wholesale proscription."

Grand Jury to Meet

The May federal grand jury will go into session a week from today, the United States attorney's office announced. The jurors will meet for instructions and organization in the courtroom of United States District Judge John C. Bowen and then proceed with their investigation and discussion of cases.

The human body is seven and a half times the length of the head.

Ballard Youth Honored

August Binder, Ballard High School pupil, son of the Rev. and Mrs. August E. Binder, 6514 12th Ave. N. W., has been awarded a scholarship to Carnegie Institute of Technology, with \$1,850 for eight semesters, the Westinghouse Electric & Manufacturing Company, sponsor of the award, announced today. He is the only high school senior west of the Rocky Mountains to receive the award.

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