

**BLE-PRODUCE ADVERTISING ACT MAY BE UNCONSTITUTIONAL**

Idaho, Sept. 29—(UP)—As a result of a controversy involving Idaho vegetable and produce advertising act, created by the legislature, today awaited an Ada district court decision which would either validate or refute constitutionality of the tax measure.

Crowley, assistant attorney general and attorneys for the act, this week argued the measure in court.

Crowley sought to prove the act constitutional, and asked the court not to grant an order for injunction of claims authorized by the act.

Crowley argued that title of the act is deceptive and misleading, because it referred to all fruits and vegetables when in reality the act applied only to apples, prunes, peaches and onions.

Crowley charged that the measure was unconstitutional because:

1. Title referred to taxation of fruits and vegetables and body of act limited taxation to four

2. One cent per hundredweight (to pay for advertising) is not a tax.

3. Tax cannot be based on weight of valuation.

4. Act taxes products shipped in interstate commerce.

5. Act in its entirety is ambiguous and uncertain.

# ROOSEVELT VISITS AT STATE CAPITAL

## PRESIDENT ROOSEVELT SPEAKS TO TEN THOUSAND IDAHOANS AND CONGRATULATES SENATORS BORAH AND POPE

Boise, Idaho, Sept. 29—(UP)—Franklin D. Roosevelt, fourth president of the United States to visit Idaho, came to Boise for a three-hour visit this week, and told ten thousand listeners he was looking into the future toward a better use of national resources.

The president spoke directly to Idaho farmers and reclamationists when he said he was trying to bring about better use of water and timber resources, greater agricultural prosperity, and general conservation of national resources.

The president, speaking from an improvised platform facing the state capitol building, complimented alike Senator James P. Pope, Idaho Democrat, and the state's senior senator, William E. Borah, Republican.

Borah is one of the foremost opponents of President Roosevelt's supreme court reorganization plan.

Mr. Roosevelt said he wanted to see "coordination of industry and a wider distribution of the control of industrial activity."

He paused a moment, and then said, "That sounds like Senator Borah."

The crowd cheered a friendly assent.

The president referred indirectly to present uproar over his judiciary program and appointment of Hugo

**Advocates Greater  
in Public**

its entirety is ambiguous.

## Advocates Greater Economy in Public Expenditure

Boise, Sept. 29.—(UP)—William E. Borah, Idaho's senator, returned to his home here last week and said he would at the next session of congress demand almost entirely to cut economy in public expenditure.

He considered that "the present legislation of all."

He called for "exclusive attention" at the next session to economic bills, including soil conservation, wage and hour bills.

Borah, questioned the advisability of suggested impeachment of Senator Hugo L. Black, supreme court appointee, on Klan charges, said, "I can say nothing about that."

The senator said he voted against the appointment on constitutional grounds.

He said that in view of the foreign situation, and he thought the neutral position should "be invoked or not invoked whichever will keep the United States out of war."

His first purpose is to keep out of the war, he said. "We cannot get into the conflict in either Europe. The war in China is a war, and I see nothing to prevent the United States getting into it. The Chinese-Japanese war will continue for several years in one form or another."

CHARLES WESLEY HOWE

He said, "That sounds like Senator Borah."

The crowd cheered a friendly assent.

The president referred indirectly to present uproar over his judiciary program and appointment of Hugo L. Black to the U. S. Supreme Court when he said:

"A president has an obligation to think of days when he no longer will be president, to think of the future and about the next generation instead of the petty quarrels and disputes of the moment.

"I am trying to think about the bigger objectives of American life--of planning. That is not a very good word, but it is the only one we have. I am thinking of planning how to make a better America for the children and the next generations to come."

Mr. Roosevelt then switched back to Senator Borah, and said, "I am thinking of the influence of the United States on the world in behalf of peace--and that sounds like Senator Pope and Senator Borah."

The two statements in reference to Pope and Borah were considered as a Democratic-Republican love feast, in which the president combined the general activities of the two, despite Borah's opposition to supreme court reorganization.

Mr. Roosevelt told the crowd that Washington "is the narrowest place in the world, and I regain strength in meeting the people in this way."

"I appreciate your coming out and saying 'howdy' to me like the plain folks all of us are."

The president said the United States, for 150 years, had been wasteful of natural resources and sometimes wasteful of human resources.

"However," he said, "I will take from Boise a memory of its children and beautiful tree-lined streets and a renewed obligation to think of the future, when I will no longer be in office."

ked for "exclusive atten-  
the next session to econom-  
lems, including soil conser-  
and wage and hour bills.  
or Borah, questioned con-  
possibility of suggested im-  
ent of Senator Hugo L.  
supreme court appointee, on  
x Klan charges, said, "I can-  
anything about that."

senator said he voted against  
appointment on constitu-  
grounds.

king of the foreign situation,  
said he thought the neutral-  
should "be invoked or not in-  
whichever will keep the Un-  
ates out of war."

r first purpose is to keep out  
r," he said. "We cannot af-  
get into the conflict in either  
r Europe. The war in China  
our war, and I see nothing to  
the United States getting in-

The Chinese-Japanese war  
continue for several years in  
form or another."

## CHARLES WESLEY HOWE

Charles Wesley Howe was born at  
esville, Indiana on April 9th,  
and departed this life at Boise  
eptember 24, 1937, at the age  
years, 5 months and 15 days.

Howe spent the greater part  
s boyhood in Vermillion County,  
is. At the age of 21 he joined  
United States Regular Army and  
west to Missoula, Montana  
e, in 1884, he helped to build  
Missoula. A few years later  
was transferred to Fort Snelling,  
nesota, where on October 5, 1888  
was joined in wedlock to  
onia Brown. To this union was  
two children, a son and a  
ghter. In 1889 Mr. Howe and  
bride returned to Missoula, Mon-  
where he made his home until  
death of his wife in 1913. The  
nine years he spent in the state  
Washington, coming to Donnelly  
he spring of 1922, where he has  
e made his home. He leaves to  
arn his departure his daughter,  
t. Janet Huntley of Spokane,  
shington, and his son, Chas. R.  
e of Donnelly, Idaho. He also

children and the next generations to  
come."

Mr. Roosevelt then switched back  
to Senator Borah, and said, "I am  
thinking of the influence of the Un-  
ited States on the world in behalf of  
peace--and that sounds like Senator  
Pope and Senator Borah."

The two statements in reference  
to Pope and Borah were considered  
as a Democratic-Republican love  
feast, in which the president com-  
bined the general activities of the  
two, despite Borah's opposition to  
supreme court reorganization.

Mr. Roosevelt told the crowd that  
Washington "is the narrowest place  
in the world, and I regain strength  
in meeting the people in this way."

"I appreciate your coming out  
and saying 'howdy' to me like the  
plain folks all of us are."

The president said the United  
States, for 150 years, had been  
wasteful of natural resources and  
sometimes wasteful of human re-  
sources.

"However," he said, "I will take  
from Boise a memory of its children  
and beautiful tree-lined streets and  
a renewed obligation to think of the  
future, when I will no longer be in  
office."

The president's speech was pre-  
ceded by an hour's automobile tour  
through Boise's streets and past five  
schools. The route included the  
city's business district, residential  
sections, and landscaped parks.

Crowds, bringing the number of  
people who saw Mr. Roosevelt here  
to an estimated 20,000, lined the  
itinerary. All the schools and most  
of the homes were draped with A-  
merican flags and red, white, and  
blue bunting.

Two of the schools had been built  
with \$200,000 in free public works  
administration money from the gov-  
ernment. PWA is also financing a  
new county courthouse to replace  
the city's antiquated structure.

The president, Mrs. Roosevelt,  
and Governor Barzilla Clark rode in  
an open car. Senators Borah and  
Pope rode in a car immediately fol-  
lowing the president.

They received almost as much ap-  
plause as Mr. Roosevelt.