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Dicta Observes

Dicta Editorial Board

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Dicta Observes

THE N. R. A. ON TRIAL

A moot case involving the N. R. A. and the code was tried before the Denver Bar Association at its meeting on March 12th, 1934. Nine members of the Bar were elected to act as judges.

The case involved one Tom Jones, operator of a retail store in Denver, for violating several provisions of the retail code adopted under the authority of the N. R. A. He was charged with having sold shirts under cost to attract trade and also with having compelled employees to drop their membership in a labor union and join a company union as a condition of employment. He was tried and convicted and brought his case to the Supreme Court for review.

The court, by a five-to-four vote, set aside his conviction and held the N. R. A. act unconstitutional.

The brief submitted on behalf of petitioner and against the constitutionality of the N. R. A. is as follows: Mr. Harry S. Silverstein presented a brief for the petitioner and Mr. Philip Hornbein answered on behalf of the United States. His reply will appear in a subsequent issue of this journal.