

THREAT TO TRADE SEEN IN MEASURE

Bill Passed by Senate Would
Give I. C. C. Power Over
All Business.

BY DAVID LAWRENCE.

Every lawyer and every doctor, every professional service man, every advertising agent and every advertiser, in fact everybody in business in the United States will be interested to learn that a little bill has just been passed by the Senate which, if not reconsidered and defeated, will be passed by the House and the Federal Trade Commission as the supervising tribunal which may supervise the conduct of every single business, whether incorporated or not.

Just three or four words inserted in the present Federal Trade Commission act, and put there when an unsuspecting Senate did not grasp the meaning of the amendment, led to the passage by an oral vote of a bill which would revolutionize the powers of the Federal Trade Commission.

The new proposal would make unlawful, not only "unfair competition," which has always been in the law, but would add all "deceptive acts and practices."

Brain Trainers Renew Fight.

Now what is a "deceptive act" and why should a commission in Washington have the power to decide it? This query was asked by this correspondent just about nine months ago, when the same bill was introduced at the request of the Federal Trade Commission at the last session of Congress, and the measure didn't get to first base.

Now, however, the young brain trainers at the Federal Trade Commission have renewed their fight. If they get this bill through they will not need a Copeland food and drug law, they will not need the securities exchange law, and they will have broad power, not only over corporations, but over all persons.

Members of the Senate who adopted the bill by an oral vote were assured at the time that it was an innocent measure which merely strengthened the present law in some incidental respects. Even Senator Wheeler of Montana, chairman of the Interstate Commerce Committee, thought he was offering an amendment which merely clarified the present statute.

Now the trouble is that a comparison of the language added to the present law and why it was sought.

Senator Austin of Vermont asked the number of questions just after the bill was passed and Senator Wheeler promptly agreed to allow the measure to be reconsidered. And that's what its status is now.

Text of Measure.

Here is how the proposed law reads: "Unfair methods of competition in or affecting commerce and unfair or deceptive acts and practices in or affecting commerce are declared unlawful."

The commission is empowered and directed to prevent persons, partnerships or corporations, except banks and common carriers subject to the acts to regulate commerce, from using unfair methods of competition in or affecting commerce and unfair or deceptive acts and practices in or affecting commerce."

Now the new language added is the phrase "affecting commerce" and also "in or affecting commerce."

There is nothing in the present law about interstate or intrastate commerce, but the words "in commerce" are used, which means, of course, interstate commerce as the Federal Government has no constitutional authority to regulate transactions inside a State. The new Dealers, however, have been trying to set up a new constitutional doctrine, namely "affecting commerce" as introduced into the law, it makes persons as well as corporations subject to a far-reaching Federal control of the everyday acts of a business or profession.

The Federal trade commission also has broad powers of investigation and inspection. Once the measure is passed, it is a novel attempt to bring under Federal control a vast number of businesses and professions which have not been in the past.

Never before have such police powers been sought by a Federal agency, and it is a novel attempt to bring under Federal control a vast number of businesses and professions which have not been in the past.

There is no indication that he will. Every well-informed authority here seems to be convinced that he will not. For one thing there is no advantage he could possibly gain by it, except to remove that minor uncertainty about his final action. The truth seems to be that he likes this minor uncertainty and will keep it as long as he can.

No one is agitating for further devaluation. Even the inflationists seem to be willing to let everything slide along for the time being.

Gold Countries "on Spot."

Conclusion jumpers seem to have decided that international pressure against France and the gold bloc countries now will be stronger. This belief is not shared by the most competent international exchange experts here. They think that France will devalue sooner or later, but that the international pressure on her will be no stronger now than it was six months ago.

In base ball as in law, it's the winning run that counts. A 5-to-4 decision is just as conclusive as 9 to 0.

Stamp Auction to Be Held.

One of the most important stamp auctions of the season will be held at a meeting of the Washington Philatelic Society at the Hotel Carlton tonight, beginning at 8 o'clock. More than 300 lots from the collection of J. H. Jenkins of the Associated Press will be sold. The public is invited.

BAND CONCERT.

By the United States Marine Band Symphony Orchestra this evening at 8 o'clock in the auditorium, Marine Barracks. Capt. Taylor Branson, leader; Arthur S. Witcomb, second leader.

On account of other official duties the concert by the Marine Band scheduled for Friday afternoon is canceled.

What's What Behind News In Capital

Court Stressed Facts,
Not Law, in Making
Gold Clause Rule.

BY PAUL MALLON.

The lawyers will be arguing from now on about what the Supreme Court did in the gold cases. The only thing they may agree on is that the court faced the facts in preference to the law. In other words, the decision was based on calm reasoning rather than cold constitutional words. At least this is what they are saying here now sotto voce.

It places a lot of lawyers who have always believed that the letter of the law has caused much injustice as well as justice.

As they see it, the reasoning behind the court decision was quite simple. When the justices looked the door and got down to business they did not call for copies of the Constitution and thumb through it first. They merely asked themselves the question whether the people who were suing the Government had actually been damaged because the New Deal devalued the dollar.

Any fair-minded economist will tell you the answer. They had not.

Liberty bond holders bought their bonds, say, in 1918, with the old 100-cent dollar of that period. (That was the year when most of the Liberty bonds were sold by the Government.) If they sell those bonds now they will get just as many of President Roosevelt's 59-cent dollars.

The only actual loss is, of course, what their bond would buy in 1918 and what it will buy now, not in gold, but in food, clothing and such things.

If you dig back into the value of a dollar in 1918 you will find it was worth about 76 cents in purchasing power. That is, prices were then so high after the war that you could get only 76 cents' worth of food and clothing for it.

Today the dollar will buy roughly \$1.33 in goods at the present level price.

So if any one owns any one else in this matter you Liberty bond holders would seem to owe the Government about 57 cents. At least the dollars with which you bought your Liberties will buy that much more today.

Labor Statistics Used.

The figures used are from the survey of wholesale prices conducted by the Bureau of Labor Statistics. They are computed on a 1926 base, with prices that year being considered to furnish 100 cents' purchasing power for the dollar. The average purchasing power of the dollar in all commodities for 1918 was exactly .762 and for 1934 it was exactly \$1.335, as shown in this recently issued report.

The gold prices for the two comparative periods are beside the point, because no American citizen now can buy gold with his Liberty bonds or his dollar.

There was one trick in the decision. The reasoning implies that the court might hold differently in a case of foreigners, who have suffered actual damages on their Liberty bond investments as a direct result of devaluation. For instance, a Frenchman who paid 10,000 francs for a Liberty bond would find it worth only about 6,000 francs now.

His interest is worth that much less, also, when he converts it from devalued dollars into gold francs. If some Frenchman has purchased Liberties and set them aside to meet some international balances, he might have a good chance of collecting if he sued the United States Government. No doubt some will try.

Certain good authorities suspect the court might consider other facts, such as whether the claim of the Frenchman should logically be made against his own government for not devaluing also.

A flock of rumors have been flying around suggesting that Mr. Roosevelt might take the encouraging opportunity to devalue the dollar further. He could squeeze 9 more cents of gold out of it if he wanted to.

There is no indication that he will. Every well-informed authority here seems to be convinced that he will not. For one thing there is no advantage he could possibly gain by it, except to remove that minor uncertainty about his final action. The truth seems to be that he likes this minor uncertainty and will keep it as long as he can.

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HIGH COMMANDS IN NAVAL SHIFTS

Asiatic Fleet to Be in Charge
of Murfin, With Full
Admiral Rank.

Important changes in high commands afoot, to become effective during the coming Summer, were announced today by Secretary Swanson.

A new four-star admiral will be created when Rear Admiral Orin G. Murfin, now commander of Battleship Division 3 of the Battle Force, becomes commander-in-chief of the Asiatic Fleet. He served in Washington recently as judge advocate general.

In his new post he will relieve Admiral Frank B. Upham, who will step down from the rank of a full admiral to his permanent grade of rear admiral. No orders for another assignment have yet been issued to Admiral Upham, who served in Washington from 1930 to 1933 as chief of the Bureau of Navigation.

Secretary Swanson is expected to issue a list of changes among high-ranking naval officers ashore that will shift a number of seniors, including Admiral Upham.

Under today's announcement, the new commander of the Battle Force will be Admiral Harris Laning, now commanding the cruiser division, the Scouting Force, with the rank of vice admiral. Admiral Laning, who will assume the rank of full admiral, will relieve Admiral Frank H. Brumby, for whom no new orders have been issued and who will revert to his permanent rank of rear admiral.

Hepburn Replaces Campbell.

The new commander of the Scouting Force will be Admiral Arthur J. Hepburn, who now commands the destroyers of the Battle Force. He will relieve Vice Admiral Edward H. Campbell, who will relinquish his grade of vice admiral, reverting to his permanent rank of rear admiral.

A few years ago Admiral Campbell served in Washington as judge advocate general.

Rear Admiral George T. Pettengill, commander of the Base Force, will be relieved by Rear Admiral W. T. Cluvers, now commander of the 6th Naval District and commanding the Naval Training Station at Great Lakes, Ill.

Vice Admiral Thomas T. Craven, commanding Battleship Division 1 of the Battle Force, will be relieved by Rear Admiral William D. Leahy, chief of the Bureau of Navigation. Upon assuming command of the Battleship Division, Admiral Leahy will become a vice admiral. Vice Admiral Craven will revert to his permanent rank of rear admiral.

Andrews Considered for Post.

Secretary Swanson revealed at his press conference today that he has under consideration as the new chief of the Bureau of Navigation Rear Admiral Adolphus E. Watson, now chief of the United States Fleet, aboard the Pennsylvania.

At one time Admiral Andrews was in command of the United States Fleet, and he served as chief of the United States Fleet, aboard the Pennsylvania.

Admiral Upham from 1931 to 1934 was naval attaché at the American Embassy in Paris and he held a similar post concurrently to Madrid.

Admiral Murfin's World War service brought him in charge of the United States mine bases in Scotland. From 1919 to 1921 he was commander of mine craft of the Battle Force. No orders for Admiral Watson have been issued.

Former Embassy Attaché.

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BACKERS TO PUSH 2 BONUS FIGHTS

Patman Group Seeks Forced
Action Tomorrow, Spurning
Compromise.

By the Associated Press.

Standing flatly against any compromise, backers of the Patman \$2,000,000 bonus bill decided today upon two immediate steps to force action.

Both moves are planned for tomorrow. The first will seek to assure a House vote on the bill even though it is not approved by the Ways and Means Committee.

The second will attempt to permit the insertion of the Patman bill in an appropriation bill which provides salaries for Representatives and Senators.

Representative Patman, Democrat, of Texas, informed newspaper men that at noon tomorrow—the earliest possible moment under the rules—he would file a petition to take his bill out of the Ways and Means Committee.

Expects Signatures.

"I have no doubt but that we will get the necessary signatures," Patman said. It now requires 216 signers to discharge a committee from considering a bill.

If indeed no discourtesy to the committee," Patman continued. "I know it has been too busy to act on the bonus yet, but I just want to safeguard the rights of the members who favor my bill."

"When the petition is signed up it will not be mandatory for the House to vote. But if something should arise we could demand a House vote. We want to be prepared for anything."

Another Texas Democrat, Representative Blanton, will father the second petition. It would bring to a House vote a resolution permitting the Patman bill to be offered as an amendment to the legislative appropriation measure.

"I think I'll get the necessary signatures without trouble," Blanton said. "If that legislative bill goes through the House with the Patman bill in it, then the Senators will have to vote for the Patman bill or they won't get any pay next fiscal year."

Tydings' Bill Comment.

Patman's followers were chary of making public comment on the bonus bill introduced yesterday by Senator Tydings, Democrat of Maryland. But privately, they said they much preferred their method of issuing new currency to buy up adjusted compensation certificates at their face value.

Under the Tydings bill, interest-bearing, negotiable bonds would be exchanged for the certificates. A veteran thus either could sell his bonds for cash or hold them until they matured in 1945, the year the existing cash bonus would be paid.

Another bill, backed by the American Legion proposes an outright payment of cash raised through a new bond issue.

A partial pool of the Ways and Means Committee shows most of the members now favor the Vinson bill, in view of the opinion handed down by the Supreme Court warning Congress against over-inflation. The Vinson bill directs the Treasury to issue bonds to finance bonus payments.

came to him for his command of the submarine base at Queenstown Island, as well as having charge of aircraft and their operation on the southern Irish coast. He received here the director of naval intelligence from July, 1926, to September, 1927.

Admiral Pettengill was given the Navy Cross for his World War service as executive officer of the battleship Wyoming of the 6th Division, Battleship Fleet, in August, 1923, he came here for duty in the Bureau of Navigation.

Admiral Cluvers got the Distinguished Service Medal for laying mines in the North Sea during the World War. From 1919 to 1921 he was commander of Midshipmen at the Naval Academy. In 1923 he came to Washington for duty in the Office of Naval Operations at the department.

Admiral Leahy has been chief of the Bureau of Navigation here since June, 1933. He lives at 2168 Florida avenue. The World War brought him the Navy Cross as commander of the U. S. S. Princess Matoka, engaged in transporting and escorting troops and supplies through the war zone. From June, 1918, to February, 1921, he was director of gunnery exercises and engineering performances at the Navy Department. In 1923 he came back to Washington to the Bureau of Navigation, serving as director of officer personnel. After commanding the battleship New Mexico he returned here in October, 1927, as chief of the Bureau of Ordnance.

Admiral Woodward obtained the Navy Cross for his World War service as executive officer of the battleship Florida. He was in Washington from 1922 to 1924 in the Bureau of Navigation.

Admiral Gannon secured the Distinguished Service Medal for his World War service in command of the Saranac, engaged in laying mines in the North Sea. He was in Washington in the Office of Naval Operations from 1921 to 1923. From 1925 to 1928 he was in command of midshipmen at the Naval Academy.

Admiral Watson was awarded the Navy Cross for his World War service as commanding officer of the Charleston, engaged in escorting and transporting troops to Europe. In June, 1924, he came here as assistant chief of the Bureau of Navigation.

Admiral Murfin during the World War served at the submarine base, New London, Conn., and then went to London, England, for service in conjunction with submarine chasers. The Distinguished Service Medal

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Masterpieces That Figure in Mellon Tax Fight



MELLON ART PLAN BRINGS STIR HERE

Designation of Other Famous Paintings Awaited
for Monumental Gallery.

BY JAMES WALDO FAWCETT.

Their anticipations heightened by announcements thus far, art lovers of Washington today were anxiously awaiting designation of other famous paintings marked for places in the monumental gallery contemplated for the Capital by Andrew W. Mellon.

Thus far, only six of the Pittsburgh millionaire's pictures have been identified for display here.

Although it was learned today that no more detailed statement may be expected for several weeks, it is known that there will be enough canvases to fill a gallery equal in size to that established to house the Freer collection, given to the Smithsonian Institution in 1920 by Charles L. Freer of Detroit.

Mr. Mellon's gift, as reported yesterday, also includes funds for the purchase of other notable masterpieces as they may become available in the future. His purpose is to bring Washington to an equality with London and Paris as one of the great art centers of the world.

"Alva Madonna" Included.

Of those paintings thus far designated the so-called "Alva Madonna" by Raphael Sanzio probably is the most famous. The artist was born at Urbino, in the papal states of Italy, April 6, 1483, and was a painter of moderate talents. His life began in obscurity, but such was his genius that by 1500 he had achieved celebrity.

Among his productions were a long series of frescoes for the Vatican, 10 designs for tapestries now at Hampton Court, England; the "Sistine Madonna," Dresden, and pictures in Florence, Milan and elsewhere. A general favorite among all classes, he died of the plague at Rome on his 37th birthday, and was mourned as "a prince of painters."

The Cowper or Nicolini "Madonna," owned by Mr. Mellon, also is Raphael's work. It was acquired by an American agent from the Hermitage Palace, Leningrad, when that collection was dispersed by the Soviet authorities.

Augustus J. C. Hare, in his "Studies in Russia," speaks of it as being in "the best and most delicate manner of the master." The composition shows St. John offering the Infant Savior a toy cross while the Holy Child, by reaching for the cross, prophesies of the children.

A third picture is an impressive "Crucifixion," by Pietro Vanucci, customarily referred to as Perugino, Raphael's teacher, born at Castello della Pietra in 1446. A great colorist and skilled draftsman, he is remembered for his Sistine Chapel frescoes, executed for Pope Sixtus V. "Madonna and Child" in the Albani Palace, Rome; "Holy Family and Dead Christ" in the Pitti Palace, Florence, and frescoes at the Sala del Cambio, Perugia, not to mention scores of smaller pieces in the National Gallery, London; the Louvre, Paris, and other places. He died in 1524, leaving a reputation as one of the greatest inspirations for his many pupils.

Work by Van Eyck.

Mr. Mellon also has an "Annunciation," by Jan van Eyck, Flemish master, born near Maaseyk about 1390 and considered one of the primary inventors of oil painting. The Duke of Burgundy, Philip the Good, employed him as an artist and as an ambassador. He was a great colorist and his pictures are notable for their minute exactness of detail, their warm and durable color and their humanity—all his figures are direct from life, natural in the highest degree.

It is recounted by his biographer that his patron sent him to Lisbon, Portugal, to paint the portrait of a princess he planned to wed, and the artist rendered the lady's likeness so engagingly as to fix the king's choice to the advantage of all concerned. Jan's career ended in 1441, but his immortality is assured.

An example of the work of Tiziano Vecellio, called Titian, is the composition known as "The Toilet of Venus," purchased by Mr. Mellon several years ago. This picture, reproduced in The Star yesterday, shows the Queen of Love with Cupid holding a mirror to reflect her beauty. It belongs to the Venetian master's "middle" period, and is among his best efforts in that time. Titian was born in 1477 and died August 27, 1576. His career ran through an entire century, and the flame within him burned brightly until the very end. Works from his hand are scattered in Austria, Germany, Great Britain, France, Spain, the United States and, of course, all over Italy.

"Adoration of the Magi."

"The Adoration of the Magi," by Botticelli, is one of several of that name which the artist, originally known as Sandro Mariano di Filippino, painted. He was a Florentine, born in 1444, a banker's son and a goldsmith's apprentice. Among his patrons were the Medici family and Pope Sixtus IV and Pius IV, but the latest picture of his life was spent under the influence of the reformer Savonarola, who taught him to despise his art. He died in 1510, already a legend for the grace and grandeur of the works of his youth—now found in London, Paris, Berlin, Boston, Rome, Florence and Milan. "The Adoration" from the Hermitage collection, brought to America by Mr. Mellon, is in tempera on wood and is supposed to have been painted during Botticelli's stay in Rome.

Art dealers in New York have estimated the former Secretary's canvases to be worth between \$25,000,000 and \$40,000,000. With the building to shelter them and the endowment which Mr. Mellon has pledged, the total gift thus will come to approximately \$50,000,000.



Above: The triptych, "The Crucifixion," by Perugino, one of the outstanding masterpieces from the collection of Andrew W. Mellon. This is one of the five for which Mellon paid \$3,247,685—the sum listed in his gifts to non-taxable institutions, for which he claims exemption from taxation. This point was emphasized by Frank J. Hogan, Mellon's attorney, in opposing the Government's charges that Mellon now owes \$3,075,103 in extra taxes.

Below: Raphael's "Madonna Alva," another of the paintings, which Attorney Hogan explained, may be placed on public exhibition. Hogan further stated that in 1931 Mellon projected plans to build a public art gallery here to house his collection of masterpieces, valued at many millions.

American Small Town Passing, Lewis Finds on 50th Birthday

"Seven Million Dollars,"
Latest Novel, Will
Appear in Star.

Academy Change Seen
in Accepting Its
Membership.

Sinclair Lewis, noble prize author whose "Babbitt" and "Main Street" burned the ears of small-town America back in 1920, sat back on his fiftieth birthday early this month and opined that the American small town he portrayed in his much discussed novel is rapidly passing.

"Today," he says, "Babbitt reads biography and history and sends his children to colleges, and colleges are not what they used to be. They are no longer the bulwarks of orthodoxy in all things. People in 'Main Street' think about things about as other people do elsewhere. The Nation is becoming sophisticated."

Early this month Lewis accepted membership in the National Academy of Arts and Letters, an honor he declined eight years ago.

"Perhaps I am kidding myself," he said when asked to explain this change in attitude. "Perhaps I am getting to be a fossil and do not realize it. But it seems to me that the institute, like Main Street, has changed. Like the rest of the Nation, it has become sophisticated."

But "Seven Million Dollars" is written in the vigorous stride of "Main Street," "Babbitt," and "Dodsworth." Whatever has happened to America's small towns, it's the same old Lewis.

Other writers appearing in this week's Star issue are Francis Hurst, Rupert Hughes, I. R. A. Wylie, Dorothy Sayers and Roy Chapman Andrews.

WRITER TO SPEAK

Sir Willmott Lewis to Talk at Baptist Banquet.

Sir Willmott Lewis, Washington correspondent of the London Times, will speak at the forty-fourth annual banquet of the Vaughn Class of Calvary Baptist Church at 7 p.m. Friday in the church dining room, Eighth and H streets.

Some 400 persons are expected to attend the banquet. Reservations may be made until tonight at the church office