

*Lynch v. United States*, 292 U.S. 571 (1934).

59. Act of May 12, 1933 (48 Stat. 31)

Agricultural Adjustment Act providing for processing taxes on agricultural commodities and benefit payments therefore to farmers, held not within the taxing power under Article I, § 8, clause 1.

*United States v. Butler*, 297 U.S. 1 (1936).

Concurring: Roberts, Van Devanter, McReynolds, Sutherland, Butler, Hughes, C.J.

Dissenting: Stone, Brandeis, Cardozo

60. Joint Resolution of June 5, 1933 (48 Stat. 113, § 1)

Abrogation of gold clause in government obligations, held a repudiation of the pledge implicit in the power to borrow money (Article I, § 8, clause 2), and within the prohibition of the Fourteenth Amendment, against questioning the validity of the public debt. (The majority of the Court, however, held plaintiff not entitled to recover under the circumstances.)

*Perry v. United States*, 294 U.S. 330 (1935).

Concurring: Hughes, C.J., Brandeis, Roberts, Cardozo

Concurring specially: Stone

Dissenting: McReynolds, Van Devanter, Sutherland, Butler

61. Act of June 16, 1933 (48 Stat. 195, the National Industrial Recovery Act)

(a) Title I, except § 9. Provisions relating to codes of fair competition, authorized to be approved by the President in his discretion "to effectuate the policy" of the act, held invalid as a delegation of legislative power (Article I, § 1) and not within the commerce power (Article I, § 8, clause 3).

*Schechter Poultry Corp. v. United States*, 295 U.S. 495 (1935).

Concurring: Hughes, C.J., Van Devanter, McReynolds, Brandeis, Sutherland, Butler, Roberts

Concurring specially: Cardozo, Stone

(b) § 9(c). Clause of the oil regulation section authorizing the President "to prohibit the transportation in interstate . . . commerce of petroleum . . . produced or withdrawn from storage in excess of the amount permitted . . . by any State law . . ." and prescribing a penalty for violation of orders issued thereunder, held invalid as a delegation of legislative power.

*Panama Refining Co. v. Ryan*, 293 U.S. 388 (1935).

Concurring: Hughes, C.J., Van Devanter, McReynolds, Brandeis, Sutherland, Butler, Stone, Roberts

Dissenting: Cardozo