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## Masthead

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Unless otherwise indicated, the authors of COMMENTS and NOTES are students of Louisiana State University Law School.

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## Comments

### THE WAGE AND HOUR LAW IN THE SUPREME COURT

On February 3, 1941, the United States Supreme Court upheld the federal "Fair Labor Standards Act of 1938"<sup>1</sup> in two decisions: *United States v. F. W. Darby Lumber Company*<sup>2</sup> and *Opp Cotton Mills v. Administrator of the Wage and Hour Division of Department of Labor*.<sup>3</sup> The action taken by the Supreme Court in the *Darby Lumber Company* case<sup>4</sup> was not startling. In the *Jones*

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1. 52 Stat. 1060 (1938), 29 U.S.C.A. §§ 201-219 (Supp. 1940). See Comment (1939) 52 Harv. L. Rev. 646.

2. 61 S.Ct. 451, 85 L.Ed. 395 (1941), noted in (1941) 54 Harv. L. Rev. 882.

3. 61 S.Ct. 524, 85 L.Ed. 407 (1941).

4. 61 S.Ct. 451, 85 L.Ed. 395 (1941). This case upheld the statute as against the contention that it was beyond the scope of the federal authority granted by the "commerce clause" of the Constitution of the United States, Article I, Section 8.