Gregon Cmerald

University of Oregon, Eugene

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EDITORIAL OFFICES, Journalism Bldg. Phone 3300—News Room, Local 355; Editor and Managing Editor, Local 354. BUSINESS OFFICE, McArthur Court. Phone 3300—Local 214.

A member of the Major College Publications, represented by A. J. Norris Hill Co., 155 E. 42nd St., New York City; 123 W. Madison St. Chicago; 1004 End Ave., Seattle; 1206 Maple Ave., Los Angeles; Call Building, San Francisco.

The Oregon Daily Emerald, official student publication of the University of Oregon, Eugene, issued daily except Sunday and Monday during the college year. Entered in the postoffice at Eugene, Oregon, as second-class matter. Subscription rates, \$2.50 a year.

The Emerald's Creed for Oregon

".... There is always the human temptation to forget that the erection of buildings, the formulation of new curricula, the expansion of departments, the creation of new functions, and similar routine duties of the administration are but means to an end. There is always a glowing sense of satisfaction in the natural impulse for expansion. This frequently leads to regarding achievements as ends in themselves, whereas the truth is that these various appearances of growth and achievement can be justified only in so far as they make substantial contribution to the ultimate objectives of education... providing adequate spiritual and intellectual training for youth of today—the citizenship of tomorrow...

"... The University should be a place where classroom experiences and faculty contacts should stimulate and train youth for the most effective use of all the resources with which nature has endowed them. Difficult and challenging problems, typical of the life and world in which they are to live, must be given them to solve. They must be taught under the expert supervision of instructors to approach the solution of these problems in a workmanlike way, with a disciplined intellect, with a reasonable command of the techniques that rre involved, with a high sense of intellectual adventure, and with a genuine devotion to the ideals of intellectual integrity..."—From the Biennial Report of the University of Oregon for 1931-32.

The American people cannot be too careful in against curtailment as to the discussion of public affairs and the character and conduct of public -Carl Schurz.

EVEN a cursory examination of the tentative budget now before the state board of higher

education reveals unmistakably that the amount of money allotted to agricultural work is out of all reasonable proportion to the rest of the distribu-

The facts are self-evident. The proof is in black and white. Restricted funds to Oregon State college for agricultural extension are listed at \$303,-119.79. Restricted funds to the same school for agricultural research are \$185,557.50. This totals the highly respectable figure of \$488,677.29. This sum is almost double the amount spent annually by the University of Oregon Medical school in Portland. The incongruity of the situation is so evident that it requires no embellishing comment.

But the \$488,677.29 comes from restricted funds, provided by the state, county and federal governments. We have no comments to make regarding the best of the University of Oregon, the State college and the normal schools were brought the sum, except that it appears inordinately high into one comprehensive system of higher education in these times of financial distress. But in the under one directing head, it was not only for the record of a student is some evi- tion or by-laws to the judiciary separate budget for Oregon State college there ap- purpose of making economies in the aggregate but pears an item for which there seems as little ex- for the purpose of correcting and adjusting certain ly the executive council took all of It must be granted that all ofcuse as a charity donation to Mr. Rockefeller. It obvious distortions which were pointed out in the these factors into consideration ficers, boards and committees of is an appropriation of \$43,858 of unrestricted funds | federal survey report. to Oregon State college for agricultural experiment

TN addition there is listed among the centralized significant items. Despite the fact that the Uni- lications committee's recommen- tion is raised as to whether a given activities an item of \$22,000 for radio station versity cares for an enrollment which is slightly dation of Mr. Zurcher, was regular board, committee, or officer of the KOAC at Corvallis. Thus \$65,858 of unrestricted larger than that in Corvallis, the University is in form and not unreasonable." A. S. U. O. has exceeded its confunds-money which might teach a young doctor granted a "requisition budget" of only \$46,929 as to save human life or show a young lawyer how compared with \$89,764 on the Corvallis campus, a to administer justice—goes for activities at Oregon difference of \$43,000 which even the admitted State college from which students receive no direct higher cost of technical instruction does not quite orate upon the above stated rule just such a question. benefit whatsoever. And this, after the Corvallis justify in a year of rigid economies. school has received \$488,677.29 of restricted funds for its agricultural projects! To say it is pre- for the Corvallis campus \$142,000 greater than is granted to the judiciary committee, officer, or board of the

the unrestricted funds of \$488,000. They are set sistant professor at Corvallis than at Eugene with aside for a specific purpose, and cannot be used the larger enrollment. This is another situation the powers of the judiciary comother than for that purpose. But the \$65,858 of which differences in subject matter do not explain. mittee. Article V. sections 1 and cretion, but discretion is to discern unrestricted funds for radio and agriculture is an- Either one campus is being over-staffed for the 2 of the A.S.U.O. constitution read between right and wrong. Thereother story. Why, in these days of terrific finan- present situation, or the other is being under- as follows: cial struggles and dire economic exigencies, should staffed. A reasonable balance in fairness to the the state college require \$65.858 for its agricul- students in all fields ought not to be hard to attain. tural and radio projects in addition to the \$488,000 it receives from restricted funds?

we are hostile to all agricultural experiment work. Should occur. - Eugene Register-Guard.

Quite to the contrary. We merely think it is subordinate to the real purpose of education. We grant that the radio station and agricultural enterprises are valuable; there is no doubt of that. But they are not so valuable that higher education should be sacrificed to provide for them. Make no mistake about that. The people of the state of Oregon don't want their children's education to suffer so that someone may know how to produce better cabbages or someone else may listen to the market reports every noon.

So that it may teach the young men of the com-monwealth how to administer justice, the University law school is scheduled to receive the magnificent sum of \$16,011.43. This amount compares sharply with the \$22,000 which is slated to be spent on the radio station at Corvallis. We rather imagine the bar of the state will be interested in looking

However, we do not believe the men who plead before the bar and sit on the bench in the great state of Oregon ever will have occasion to worry over those figures. For we know the men on the state board of higher education. We know their reputation for fairness. We know they will see that every institution and department is treated with equity. We do not think they will let the law school struggle along on \$16,000 while the radio station at Corvallis consumes \$22,000, and another \$43,000 from unrestricted funds is added to Oregon State's \$488,000 from the restricted funds.

A VALUABLE BOARD MEMBER

ONE of the most efficient men on the state board of higher education is Fred Callister of Albany. A dependable administrator, a courageous leader, he is one of the men who is fighting to help higher learning through the morass in which it struggles today. Mr. Callister is seldom in the public eye, but the state owes him a real debt for OFFICE ASSISTANTS: Phyllis Cousins, Patricia Campbell, Betty Bretscher, Betty Hently, Elma Giles, Jeanette Thompson, Jean Bailey, Marjorie McNiece, Willa Bitz, Betty Shoe-Maker, Ruth Byerly, Ruth McCornack, Mary Jane Jenkins, Virginia Blais.

NOT TOO GOLDEN

THE refusal of Robert Hall, acting in the capacity of chairman of the publications committee, to give out any information relative to the new candidates for the editorship of the Oregana only adds another farcical touch to the ludicrous and drawn-out fiasco.

Mr. Hall assigned as the reason for such re fusal that be wished to avoid the undesirable publicity, which inadvertently seems to attach its stigma to the candidates for that post. It is pos- drawn up yesterday, follows: sible that Mr. Hall is entirely within his powers. We are not questioning his action as being extralegal, but it does seem that his mistaken delicacy rejected the recommendation of deprives the students of information that is rightfully theirs.

Who are the mysterious nine candidates who have filed petitions for the Oregana editorship? Your guess is as good as ours. Rumor has it that Zurcher and Hitchcock have refiled their petitions and that some seven members of the Oregana staff have suddenly perceived the light and are refurbishing their ambitions. We wish them luck and predict that they will need it in the face of the publications committee-executive council-judiciary in which the judiciary committee

committee controversy. We also believe it is the right of the students tive council in rejecting on scholasto know the decision of the committee before it is tic grounds the recommendations . Unless a given constitution or executive branch of the governpresented for approval to the executive council. The of the publications committee that two choices already made by the publications com- one, Mr. Robert Zurcher, be apmittee have been firmly and none too politely refused by the executive council. Should a third be fused by the executive council. Should a third be that: "It is not within the province has been expressed to the judiciary treated in the same manner we think it time to lay the blame at somebody's door.

Mr. Hall's delicate refusal to divulge information may be tactful; it may protect the hopefuls THAT \$65,585 IN UNRESTRICTED FUNDS from the spotlight of publicity; it may forestall unfavorable comment as to the action of either the publications committee or the executive council, but we question that it is dealing fairly with the stu-

> A government monopoly enables Austria to sell a new cigar of low nicotine content for two cents.

Although mistletoe is a native of southern states, it grows in some parts of Ohio.

Contemporary -Opinion-

That Unbalanced Budget

How far the budget proposed for the coming year falls short of correcting some of these glaring distortions is revealed by the comparison of certain tive council's rejection of the pub- stitution. Therefore, when a ques-

A more serious disparity is a salary allowance the said rule involves a power not the executive council or any other set up for Eugene. On present payscales this fund tee in the A. S. U. O. constitution. A. S. U. O. the right to act un-As before stated, we have nothing to say about would provide 71 more teachers of the rank of as-

There is no desire here to see the necessary work at the sister school impaired. There is a Education should be primarily for the student, question whether the important work which the Find a leading educator who doesn't agree with University is allotted in the social sciences and that. Under the existing financial conditions the liberal arts is getting the attention and support it premise is more true than ever. But the \$65,858 deserves. The method of proportionate cutting inwhich the budget sets aside for radio and agricul- evitably tends to squeeze the small appropriations ture at Oregon State college is directly contrary to nothingness. It is neither unkind nor untimely to the specific and fundamental purpose of higher to point out that the people of Oregon said quite learning. By this do not gain the impression that convincingly last fall that nothing of this sort

Forming in Line

By STANLEY ROBE



Judiciary Committee Report

THE complete text of the judiciary committee's report

Issue: Did the executive council at its meeting April 26, act within its constitutional powers when it the publications committee that Mr. Parks Hitchcock be appointed editor of the Oregana for 1933-34?

Opinion Requested: In letter under date of April 26 by Richard Neuberger, editor of the Oregon Daily Emerald.

Opinion Submitted: May 1, 1933.

In an opinion handed down April 21st, 1933, involving a similar case reviewed the action of the execuqualifications are clearly among those which should be considered dence of his ability and apparent- committee.

"Section 1. The dean of the law school, the dean of men, and the executive secretary of the University, or representatives appointed by themselves, shall constitute a judiciary to which any member or administrative body of the Associated Students may refer any question on which it desires an opinion as to the correct judicial construction or constitution and by-laws.

ord; conclusive on the particular point involved; binding upon the officers, classes, organization, committees, and members of the Associated Students; enforcable by appropriate administrative acts

It is to be noted from Article V of the judiciary committee shall on the basis of the qualifications constitute a judiciary. According as set forth elsewhere in the conto legal definition a judiciary is that branch of government invest-

judiciary, it is to be implied that grounds, or for political reasons, to of the judiciary committee to dic- committee that the said judiciary tate to the executive council what committee is a subordinate or sub- vitally different from the organiweight should be given to the scho- sidiary committee of the execu- zation of our state and federal lastic record of applicants for pub- tive council. This argument is un- governments. Its purposes and lications appointments. It is with- tenable. There is nothing in the functions are different. One of the in the province of the judiciary A. S. U. O. constitution which sub- primary purposes of the A. S. U. committee to determine, when a ordinates the judiciary committee O. government is to organize, propetition is duly presented to it, to the executive council. On the as to whether or not the executive other hand, a fair interpretation of activities. The activities are in a versity officials plan the issuance the war. council rejected for good and suf- Article V of the constitution makes real sense a part of the educationficient reasons a recommendation clear that it was the intention of al program of the University. Stuof the publications committee. In the students at the time the conthis particular instance, the judi- stituion was adopted to create and them any more than they can be ciary committee is of the opinion establish a department of govern- excluded from University classes. that the rejection of Mr. Zurcher's ment called a judiciary, coordinapplication on scholastic grounds ate with the executive and legis- activities and by the constitution was not unreasonable. Scholastic lative branches of the A. S. U. O. they are made eligible to partici-

It is, of course, true that the when making appointments to pub- judiciary committee has only those lications positions. Such positions powers given to it expressly and tax a student's time and energy impliedly in the constitution. Secand may effect detrimentally the tion 1 of article V states that any academic standing of any student member or administrative body of selected to fill such position. This the Associated Students may reis much more likely to be the case | fer any question on which it dewhen an applicant with a low av- sires an opinion as to the correct erage or below average record is judicial construction or interpreselected. Further, the scholastic tation of any part of the constitu-

when it refused to appoint Mr. the A. S. U. O. are likewise lim-Zurcher to the editorship of the ited in their functions to the pow-Oregana. Therefore, the judiciary ers given to them expressly and committee decrees that the execu- impliedly in the A. S. U. O. con-Subsequent to the above cited stitutional powers, the judiciary decision the executive council in committee may be called upon to meeting decided by motion to ask determine that constitutional questhe judiciary committee to elab- tion. The instant case involves

and to determine whether or not The constitution does not give Therefore, in answering the is- reasonably, arbitrarily, frivolously, sue involved in the instant case, or capriciously. On the other hand, it is necessary first to make clear the constitution gives the execufore, he who has power to act within discretion, is found by the rule of reason and law.

> It is elementary that specific rights, privileges, or immunities granted in a constitution cannot be limited by a board, committee. or officer which has been given discretionary powers, except in

be made a matter of public rec- | Associated Students is eligible to forth with the first verse (foist be a member of the staff of any voice in English) of a new song. publication of the Associated Stu- Here it is: dents." This section grants to each and every student of the A. S. U. O. the constitutional right to become an editor or manager of any publication of the Associated Students, provided, of course, that is the tale of how some bright gent home to announce that he was that the therein named members the student merits such a position distributed copies of Jimmy's song about to retire to private life. stitution.

To argue that the judiciary comed with the judicial power, namely mittee lacks the power to review the power to hear and determine the cause for which the executive questions in controversy. A ju- council rejects the recommendadiciary interprets the law of a tion of the publications committee given jurisdiction and adjudicates because supreme courts in our nacontroversies arising under that tional and state governments do not have the power to reverse the by-laws specifically subordinates a ment when it refuses on frivolous

O. government is in many respects Students pay fees to support these pate in these activities. To deny students participation, or to disqualify them for office on other than reasonable grounds, would be clearly in violation of the spirit of the constitution and the aims and purposes of the student govern-

In a real sense, a student who comes to the University and works conscientiously and meritoriously on a given publication for two or three years, or who, because of his work and experience in other A. S. U. O. activities, can be considered qualified to hold a publications office, has earned a vested right to have his application for such office considered and determined on the basis of merit only. It is that right that the judiciary committee proposes to protect and its power to do so is one of the important safeguards contained in the constitution.

On the other hand, a private cithis selection of appointive officers, and without drudgery; in his who will unquestionably be his to the best qualified.

rather than such undemocratic cause machines do the work. those instances where the constitution permits of the exercise of for the appointment of a publica- tant as economic theory. The ful if it further diminishes our such discretion and then only when tiens editor or manager submitted theory is that the "domesticated" independence. interpretation or any part of this the discretion exercised is reasonable. Article VI, section 3 of the tee, it must necessarily pass judg- system, return the home to its independence, the book insists,

given applicant, namely, the right to hold a publications office if duly qualified in accordance with Letters to the Editor the dictates of the constitution.

In making its selections, the ex-

ecutive council has wide discretionary powers, but those powers, as above indicated, are limited by the bounds of reason. What greater powers could the executive council wish? Clearly greater powers are not granted to it by the constitution. Thus, if the executive council should disqualify an applicant for an A. S. U. O. position on the ground that said applicant is a Jew, or a negro, or a non-fraternity man, or wears a yellow necktie, or bases its rejec- prize in the annual Edison Martion upon any other such frivolous, capricious, or unreasonable ground, it then lies within the power and becomes the duty of the judiciary committee, upon appeal duly made to said committee, to set aside the action of the executive council. The judiciary committee of the A. S. U. O. would lose its character as a judicial erald the names of the judges were body if it did not have the power given as Mrs. McClain, Mr. Collins to protect the members of the and Herbert Crombie Howe. What A. S. U. O. from the unreasonable happened to McCool? Didn't he acts of the officers, boards, and judge the stories? I happen to committees of the A. S. U. O. Such protection is guaranteed by that rule set forth in the decision of the judiciary committee to determine when a petition is duly presented to it as to whether or not the executive council rejected for good and sufficient reasons a (Continued on Page Three)

Assault and Battery by Parks Hitchcock

'Iron Hat' Roosevelt's plan to notice. Howe KUM? put 250,000 men to work in the national forests, the battle-cry might be raised: "Senator, spare that tree!"

Now that spring is here once more, Benny Baseball has burst

I want a good canoe A keg of 3.2 And you.

"We Have Heard You, Alma Mater," (words by Gilbert) on all the and the troublesome case he had desks before public finance class just concluded rounded out years the other day and greeted him with "Hymn No. 1."

9 CANDIDATES SEEK OREGANA EDITOR POST (Headline, Oregon Emerald.)

A pretty doggy layout, eh Wat-

Llewellyn Banks to know that he post-war communications conferisn't the only one to be closing ence, he felt that his public service

We nominate for the Keg club: Rube Lockitch because he is get- has been the personal representaing ready for the big affair, after tive of the two succeeding presihis medical school fate is decided. dents in disarmament matters, and

of a travel book, entitled: Along

ON THE POLICE BLOTTER: house naval committee. That was Weldon Ross in class again . . . three months before President Cliff Gregor and pipe . . . Bill Mil- Harding's inauguration, six months ler and his pooch, Mr. Wimpy . . Jake Stahl looking a bit tired . . Ethan Newman, Mope Forsta, and November of that year which re-George Bennett engaged in a game sulted in the 5-5-3 naval treaty of hearts . . .

Current LITERATURE

By JOHN SELBY TWO men have had the same Borsodi, economist. Their idea is

to get out of the daily treadmill. with the disarmament discussions Mr. Hambidge told his experi- of the past year. His experience ence in "Time to Live," considered could not be overlooked. yesterday in this column. Mr. Borsodi has told his in "This Ugly Civilization," a revised edition of confirmed and enlarged the assignwhich just has been published.

izen under our state and federal man out of the home and put him istrations on the subject. His pergovernments does not stand in the into a factory to make the things sonal connection with it goes back same relation to those govern- mankind uses. Man left home be- to its ground roots in 1919-1921. ments as does a University stu- cause the factory produced more He is in his way even more of dent to the A. S. U. O. There is cheaply-with machines. Now, a veteran in the disarmament field no guarantee that the governor or "This Ugly Civilization" declares, than those career diplomats, the the president shall be limited, in man can produce more cheaply two Hughs, Gibson and Wilson,

home-with machines. However, a study of the origins Mr. Borsodi grinds his own with European leaders upon which and development of the A. S. U. flour; weaves cloth for his clothes; he is entering. O. makes clear that it was intend- draws water from a well; cans ed to guarantee a democratic ad- and packs his own food; builds book declares that not only can ministration of A. S. U. O. activi- his own house-does, in fact, vir- machines do almost everything in ties and it sets meritorious work tually everything necessary to the house satisfactorily, but also as the standard for the selection maintain his family. He does it, do it cheaper. of publications staff members, he says, without drudgery be- Borsodi's work is based also on

the judiciary committee shall as follows: "Every member of the volves a constitutional right of a dividual security to everyone. The to life.

All "Letters to the Editor" must bear either the signature or initials of the writer, the former being preferred. Because of space limitations, the editor reserves the right to withhold such communications as he sees fit. All letters should be concise and to the point. The editor of the Emerald solicits opinions and constructive criticism from the members of the student body.

The Short Story Judges

Portland, Or., May 1, 1933 To the Editor of the Emerald:

Sir: I note in the issue of the Emerald dated April 28, 1933, that three judges have awarded a \$50 shall short story contest. But the three judges are not the same as the three named in the Emerald several months ago. At that time the Emerald stated that the judges would be Mrs. McClain, of Eugene, and Dean Collins and James H. McCool, of Portland.

In the April 28 issue of the Emknow McCool rather intimately and I know that he wrestled with those 24 entries for several days and nights. He told me that he was almost stunned by the mediccre quality of most of the stories and that he would have expected more from high school pupils.

I know that McCool selected three stories out of the mess, and that his selections did not include "Mother Perrell," announced as the winning "effort" in a front page article in the Emerald on April 28.

But what I would like to know most of all is how the university With the congress' approval of could substitute a judge without

LUKE FIDICH.

Washington Bystander. .

By KIRKE SIMPSON WASHINGTON, May 2.—Some

nine years ago, a Tennesseean prominent in settling the dispute between Germany and Lith-The best story on Jimmy Gilbert uania over the port of Memel got

His name was Norman H. Davis of public service both as a private citizen and as a government offi-

Yet Mr. Davis was a bad guesser as to what the future held for him. Having been in succession assistant to Herbert Hoover as director of post-war food relief, assistant treasury secretary, under secretary of state and chairman It must be a consolation to of the American delegation to the record was complete.

But it was not. Since then he he has gone with full ambassador-Amos Berg isn't the only ex- ial status to participate in the

> Looking back through the rec-January, 1921, discussing the same subject of disarmament before the before Mr. Harding issued his call for the Washington conference in and started the disarmament movement along the way it has since followed.

It may be inferred that Mr. Hoover selected his own first assistant, naming Mr. Davis, when President Wilson appointed him post-war food administrator.

All the important things Davis has since been concerned in flowed general idea, one an artist, the his hope of retirement, he was the other an economist. They are logical man when Mr. Hoover as Gove Hambidge, writer, and Ralph president needed a special representative in Europe in connection

Now President Roosevelt has ment. Mr. Davis can speak with The industrial revolution took authority the views of two admin-

main reliance in the negotiations

the principle that most of us are standards as wealth, social posi- As a personal experiment, Mr. time killers. Time is all we have tion, and political influence. There- Borsodi's work is merely interest- to spend in life, he says, and no fore, whenever the executive coun- ing; as a development in econom- matter what leisure the factory

"Section 2. The decision of A. S. U. O. by-laws reads in part ment upon a matter which in- former high status, and grant in- but gives purpose and meaning