

IT SEEMS TO ME

By Charles F. Sprague

After considerable legal sweating, Judge Frank A. Piccard of Detroit resorted to the "de minimis" escape hatch provided in the supreme court decision in the Mt. Clemens pottery case and thereal claim for "portal-to-portal" pay out of court. The union expects to appeal his decision to another supreme court test is in prospect.

With due respect to the jurist, I am wondering if the governing rule was not "de minimis" but "de maximis." The former Latin phrase means "of or concerning minima." Its application in law is that court's do not concern themselves with trifles. Judge Piccard concluded that the time involved for the pottery workers, which had not been compensated, was too trivial for consideration.

The truth is that the previous court ruling has loosened an avalanche of claims on industries which now aggregate nearly \$5 billion. The sums are so staggering that even union lawyers are startled while industry managers are quite bemused when they contemplate the possibility of having to pay out for past wages the sums which are sought. Since the federal government, as the great tax-gatherer, would stand to lose a large part of whatever collections may be made, it has intervened to oppose claims for portal-to-portal pay. And congress is trying to devise a legal formula to quash the actions.

It is the "de maximis" doctrine which has caused the alarm—the magnitude of the demands. The court, seeing how the trifling when multiplied reached astronomic proportions, lowered the gate on the traffic to keep it confined. "De minimis" is the immediate basis of the judge's action, but "de maximis" must have been in his mind when he denied the claims of pottery workers to pay for time spent in walking to and from their work.

Court Favors Tax Use for Catholic Pupils

WASHINGTON, Feb. 10 (AP)—Dividing sharply on what constitutes government support of religion, the supreme court held 5 to 4 today that public tax receipts may be used for pupils' transportation to Catholic parochial as well as public schools.

It also upheld the Hatch "Clean politics" act ban on political activity by certain federal and state officials. The school bus ruling, in a New Jersey case, affects at least 16 states and the District of Columbia which provide some form of transportation to church-operated schools.

Another decision went against the Civilian Public Workers of America which attacked the prohibition against active political work by federal civil service employees. In the other, the court upheld a section permitting the government to withhold federal aid from states where the funds are administered by officials active in political campaigns.

Dr. Boring Named County Head of GOP Fund Drive

Dr. E. Boring, 1860 Madison st., was named Marion county chairman for Oregon Republican fund raising campaign, according to the Republican budget and finance committee Monday.

7 Marines Missing as Craft Sinks in Practice

OCEANSIDE, Calif., Feb. 10 (AP)—Seven U. S. Marines—five privates and two non-commissioned officers—are missing and presumed drowned in the sinking of three amphibious tractors during practice landing operations near here today. The crafts sank in a heavy surf about 150 yards offshore.

Animal Crackers



RIOTS FOLLOW SIGNING OF PEACE PACTS

Edison Memorial Dedicated



MENLO PARK, N. J., Feb. 10.—Thomas A. Edison memorial is dedicated here by Charles Edison, former New Jersey governor and son of the inventor. Tuesday is the 100th anniversary of the inventor's birth. (AP Wirephoto to The Statesman)

Appointment of Lilienthal Sets Off Debating

WASHINGTON, Feb. 10 (AP)—Senator Wherry of Nebraska, the republican whip, added his voice today to a swelling chorus of bipartisan opposition to President Truman's appointment of David E. Lilienthal to head the atomic energy commission.

He said he had no desire to take part in the argument as to whether Lilienthal is a communist sympathizer, but added the post should go to a man about whom not a "shadow of question" could be raised.

State Airports Improvements Sought by CAA

WASHINGTON, Feb. 10 (AP)—The establishment of a class I airport at Mill City, Ore., the increasing of Albany, Ore., airport facilities from class 2 to 3, and the improving of scores of other landing strips in Oregon were recommended by the civil aeronautics authority today.

Movable Stop Signs Slated For Crossings

Movable stop signs will be placed at all busy city school street crossings sometime next week. City Manager J. L. Franzen announced last night after a personal survey yesterday of all such crossings.

Lumber Union Warns Of Wage Negotiations

PORTLAND, Ore., Feb. 10 (AP)—AFL and CIO lumber unions expected to re-open the wage question in the Pacific northwest in March. Kenneth Davis, executive secretary of the AFL Lumber and Sawmill Workers Northwestern Council, whose contracts call for 30 days' notice to bring up wage changes, said notice would be served this month.

Mrs. Brand Hopes for Sea-Legs As Trip to Bremerhaven Starts

FORT HAMILTON, N. Y., Feb. 10 (AP)—(Special to The Statesman) Mrs. James T. Brand, wife of the Oregon supreme court justice now in Nuernberg, Germany, to act as a trial judge in Nazi war crime cases, expressed hope she could "find some sea-legs somewhere," just before boarding the Gen. M. B. Stewart for Bremerhaven to join her husband. She had learned that a recent trip took 35 days due to storms and other delaying factors.

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Big Deficit Cited As Assured

A deficit of 15 to 18 million dollars "is the best Oregon can hope for" in the next biennium, barring further legislative action, the state house of representatives was told Monday by Dr. F. H. Dammasch of Portland, chairman of the house ways and means committee.

The comment came during argument preceding passage of a bill which would transfer to the public welfare fund the \$200,000 remaining of the money given the public welfare commission in 1944.

UN Censures Decision in Greek Affairs

LAKE SUCCESS, N. Y., Feb. 10 (AP)—The United Nations security council ruled today that the U. N. Balkan investigating commission had exceeded its authority in asking the Greek government last week to postpone the execution of 11 condemned political prisoners classed as guerrillas.

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Sign Treaty

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