

# The Oregon Statesman

"No Favor Sways Us, No Fear Shall Awe"  
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THE STATESMAN PUBLISHING COMPANY

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## Law-making by Treaty-writing

A few weeks ago editorial reference was made in The Statesman to the decision of a California district appellate court which held invalid legislation of long standing denying to Japanese the right to own real property. The press dispatch said that the decision was based on the charter of the United Nations with its provision calling for observance of fundamental freedoms. At hand is the printed text of the decision (Pac. Rep. 27 Pt 2nd, No. 2 p. 481). It confirms the newspaper summary.

The California court noted that legislation restriction alien ownership of land had been thoroughly litigated in the past, with many decisions of state and federal supreme courts upholding such laws as constitutional. It noted the recent decision of the Oregon supreme court (Namba v. McCourt, 185 Ore. 579 opinion by Justice Rossman) which interpreted late decisions of the U. S. supreme court as reversing former decisions, and so declared the Oregon statute invalid. But the California court did not go along with the Oregon court's interpretation of late federal court decisions. It regarded the older decisions as still binding under the constitution and laws as they stood.

But the ratification of the Charter of the United Nations introduced a new factor. The California court said that the Charter has the effect of a treaty and as such became under Article VI of the constitution "the supreme law of the land." The Charter declares that the United Nations shall promote "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion." It also declares that "All members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth." The judicial opinion goes on to say:

"This nation can be true to its pledge to the other signatories to the Charter only by cooperating in the purposes that are so plainly expressed in it and by removing every obstacle to the fulfillment of such purposes."

It finds that the anti-alien land law is repugnant to the letter and spirit of the Charter "which as a treaty is paramount to every law of every state in conflict with it" and concludes: "The alien land law must therefore yield to the treaty as the superior authority."

In the more liberal democratic climate of our time there will be little quarrel with the result of this judicial reasoning. The restrictive legislation against oriental nationals is out of date and repeal by judicial action is really welcome. (The Oregon legislature also acted to repeal the obnoxious act of 1945). But the construction of the Charter as a binding treaty governing internal conduct of affairs is something to bring lawyers and congressmen up standing.

If it is, then the equal rights amendment is unnecessary because of Charter provisions. "Jim Crow" laws calling for segregation of the races are invalid. We doubt if senators voting to ratify the Charter had any idea that it would become the internal law of the United States. They regarded it more as a statement of principles.

Coming up is the Universal Declaration of Human Rights which the U.N. Human Rights Commission has been working on. It too asserts the inviolability of certain basic rights and looks ahead to other convenants dealing with economic, social and cultural rights. The first covenant on human rights still must be approved by the economic and social council and by the U.N. general assembly and then be ratified by the member nations. Surely we shall want to know just what it is we are signing if and when we ratify these declarations.

Ordinary laws of the United States require passing of bills through two houses of congress and signing by the president or repassing by a two-thirds vote over the president's veto. A treaty may be ratified by a two-thirds vote of the senate alone. So in law-making by the treaty route the house of representatives is short-circuited.

The California decision opens up some very important constitutional questions which go far

beyond the issue of the lone Jap and a bit of California real estate. We shall await with interest the action of higher courts on an appeal from the decision of the district court.

## Progress on Hoover Report

After knocking out the Truman reorganization plans for the national labor relations board general counsel, the interstate commerce commission, and the federal communications commission and the department of agriculture the senate voted down measures to throw out plans on the federal power commission and federal trade commission. The plan for making the maritime commission a bureau of the department of commerce also was approved.

So the score on reorganization recommended by the Hoover commission is not as bad as it may seem. Some of the plans were not identical with the Hoover report; and the reaction against some rejections seems to have spurred senators to get back in line.

Credited with influencing the senate against certain measures are the interests they are supposed to regulate. The railroads for example threw their great weight against the ICC proposals, although this agency certainly needs to be jazzed up. It is moribund and laggard.

President Truman has never acted on the report of the commission on reorganizing the interior department with regard to administration of natural resources. He may be waiting to see what happens to his CVA proposal which is really an alternate. If he should recommend a plan based on either the majority or minority report on Interior he would stir up the animals by way of opposition. The army engineers for instance will not willingly let go of their civil functions, and they have many strategically placed friends who will support them.

It looks as though the country will have to be satisfied with only partial success on the campaign in behalf of the Hoover report. And it will be a long time before any savings in administration show up in a lessened tax bill.

## Low Bidder

An explanation is due from the state highway commission on why the lowest bid was rejected and the second lowest accepted in contracting for building piers for the bridge at Salem. Low bidder was State Construction Company of Seattle, at \$228,282; the next lowest was L. H. Hoffman Co., Portland, at \$246,570. It is true that on a previous call for bids State Construction Co. had been low at \$172,966, but forfeited its deposit of \$8500 to guarantee performance when it refused to proceed with the contract on grounds it had discovered an error in its calculations. If this was held against the company it should not have been permitted to bid the second time. Having been permitted to compete, the commission should explain why its low bid was rejected.

Vice President Tom Marshall gained his fame, not by the office he held but by his remark that what the country needed (just after the first world war) was a good five-cent cigar. It looks as though the nickel was doomed though it still serves to buy a Coca Cola or a cup of coffee in some spots. One of its strongholds is being surrendered; the local telephone call. In New York City the charge is ten cents now; and the Bell companies have applications pending elsewhere for a similar boost. We shouldn't throw the nickel away as a subsidiary coin however. It may come back. The local transit company is starting a fare-cut for short hauls and hopes it will justify itself by increased patronage. The nickel may come into its own again, for a cigar, a streetcar ride or a phone call.

Firemen from over the state are meeting soon in Salem. Early in the month the policemen of Oregon assembled here. Both groups are heartily welcome. We hope that while the visiting firemen are here no one starts a conflagration to test their skills in firefighting. After all they came here to get away from such chores, and they don't relish a "postman's holiday."

## Intelligence Agents Work Round the Clock to Stop Betrayal of American Secrets to Soviets

By J. M. Roberts, Jr.  
AP Foreign Affairs Analyst

American intelligence agents worked through the Whitsun holiday in London, seeking associates of atom-betrayer Klaus Fuchs, and reports from Canada suggested an early break in a full-scale Anglo-American-Canadian spy case.

The suspected activities are, of course, pro-Russian, American, Canadian and Britishers have, in some few individual cases, set themselves up as opponents of their governments to pass personal judgment on what information Russia should have about atomic energy. Usually they are propelled not by a spy's pay, but by some misguided sincerity which makes them doubly dangerous.

What is to be done about them? More than 30 countries, striking back at internal agitation as well as espionage, have outlawed the communist party. Australia, Western Germany and South Africa are presently engaged in setting up restriction. An intricate spy network has been uncovered in Iran. General MacArthur sug-

gests outlawry in Japan on the ground that the party is obviously the agent of a foreign power rather than a part of Japanese political life.

It is notable that outlawry has been adopted mainly by Latin-American and Middle-Eastern countries. None of the larger western powers, democracies like France, Britain and the United States, has tried it. France and Italy even had communists in their governments until comparatively recently, and still have them in their parliaments. India puts them in jail when they act up, but even maintains a policy of neutrality in the cold war.

The United States bars foreign communists—except diplomats—and party membership is sometimes a disqualification for appointment to office. A movement to make this a law is under way in Congress. But there is no regulation against a communist running for elective office, which seems to be a rather anomalous thing.

There are two reasons for this situation. As a practical thing, security authorities prefer not to drive the communists any further underground. They think outlawry would make it harder to keep up with them. Justice department officials say they know pretty well what the 80,000 American

communists are up to. There may be some red faces about this tenet when the spy case breaks.

It is well known that every legal communist organization, including Russian embassies throughout the world, has its illegal "left hand" underground. I think, from a strictly security standpoint, that it is debatable whether the security people or the party get most benefit out of legalizing part of the activity.

There is, however, a matter of great principle involved which even overshadows security, at least up to a point. That is the matter of civil rights, and the difficulty of distinguishing between political and economic communists who are interested in a theory of government and the actual agents of a foreign country who see Russia as preferable to their own country and work for the extension of her imperial power.

The United States wants no precedent set whereby, under some future conceivable circumstance, the democrats might, for instance, declare the republicans subversive and outlaw them. This creates a dilemma in which the agents of the Kremlin are able to use democratic civil rights, so abhorred by their masters, for their own ends. But the resulting knot must be untied, not cut with a sword.

## GRIN AND BEAR IT

by Lichty



"Wonderful graduation speech, son . . . but I'm afraid a lot of employers will feel bashful about offering plain wages to a man with such a grasp of world affairs . . ."

## Comes the Dawn

Highlight of the Rev. Lloyd T. Anderson's Memorial day address came when he said: "We must work before and after the Memorial parade to keep our American ideals." . . . too bad such a small crowd remained to hear him . . . most of once-large crowd drifted away after wreath-laying ceremonies and during introduction of distinguished guests . . . by time main speaker appeared not a single parade unit remained . . . all of them, including military, veteran, civilian and school groups had furled their flags and take off.



Best shot of ceremonies was little school girls laying flowers at memorial to war dead . . . one young mother told her little girl: "Smile for Daddy, Honey, when you lay your flowers down" . . . three-gun salute immediately followed by wail of frightened infants in crowd . . . Salem high school bandman played taps while flag at half-mast.

Memorial day a legal holiday in nearly all states . . . but in North Carolina and Texas applies to bank closings only; but then Texas probably celebrates a separate Armistice day too . . . no legal holiday at all in Nevada and on May 30 Virginia observes a Confederate Memorial day . . . May 18 to June 18 is Father-Child month—for fathers with children and vice versa.

Teachers beware . . . news story from Cairo says Egyptian medical student went berserk during exam and attacked three professors with a pistol . . . he probably drew one of those true or false questions with three answers . . . this is time of year when school kids are muttering: "54:40 or fight—70 to 100 or stunk" . . . and all is fair in love and exam time.

Memorial day memory . . . Empire Trust company, in a news letter this month, points to a prediction of war by 1953 . . . seems that a Swiss company, dealing in a product of universal demand, has been permitted by the Russians to operate two of its plants behind the Iron Curtain . . . managers of these plants return to home office monthly . . . on basis of its information this company is assuming war by 1953.

While ribbing other columns for printing and makeup errors our own stuff included a "fish hitchery," . . . designed, no doubt, for hitch-hiking trout.

## About a Cat— Maybe This Makes Sense

By Henry McLemore  
DAYTONA BEACH, Fla., May 30—This is the story about a great cat and a great man.

The name is "The General."  
The man's name is Elmer Davis.  
Most newspaper men when they pass through Washington see to it that they go to the White House, the senate, congress, and Mt. Vernon, but not I.

When I go to Washington I wind up in Bill Henry's home. Mr. Henry is a Californian, a broadcaster, an authority on track and field, and one of the world's few nice people.

The other day Bill said to me, "Let's call Elmer."  
Mr. Davis (Elmer Davis) was nice enough to come over, and he brought "The General" with him. In case you have forgotten, "The General" is a cat.

Mr. Henry asked Mr. Davis if he were going abroad this year. So help me, this is what Mr. Davis replied to Mr. Henry: "Bill, I can't go. 'The General' is 18 years old, and I don't like cats but I have 'The General'."

Eighteen years ago "The General" was a kitten or a corporal of whatever little kittens are. Mr. Davis found him on the eastern shore of Maryland, wading. It was the first time Mr. Davis had ever seen a wading kitten. He picked up the kitten, dusted the sand off its little feet and took the kitten home. Now his life is ruled by that kitten. Mr. Davis would like to go to Europe this summer. He can't. He has to go to the eastern shore of Maryland, pay rent for the

same house that he paid rent on 18 years ago when he found "The General" wading.

I asked Mr. Davis why he had to go back to the eastern shore of Maryland.  
With the sweetness and utter graciousness of a great man, he said, "That's the only place 'The General's' happy. Mr. McLemore, all the people I knew 18 years ago in the eastern shore of Maryland are dead. I am quite sure that all of 'The General's' friends are dead, but that's his home and that's what he likes most in the world. Don't you think that I'm completely obliged to take 'The General' in the summer to the eastern shore of Maryland?"

I asked Mr. Davis if I could see "The General." I wanted to see if the cat deserved such a lovely vacation.  
Mr. Henry said, "Don't look at that cat if you are expecting to see a pretty cat. 'The General' is sure to disappoint you."

Mr. Davis brought "The General" in. "The General" can't walk any longer. He can't hear, either. For 18 years he has been chewed at. You see, "The General" never won a fight.

Let me end this little story this way; let me end it the same way I started it.  
This is the end of a story about a great cat and a great man.

(Distributed by McNaught Syndicate, Inc.)

## Better English

By D. C. Williams

1. What is wrong with this sentence? "We will co-operate together from thenceforth."
2. What is the correct pronunciation of "hosiery"?
3. Which one of these words is misspelled? Trapezium, gymnasium, museum, palladium.
4. What does the word "variant" mean?
5. What is a word beginning with "mal" that means "spiteful; hostile"?

## IT SEEMS TO ME

(Continued from page 1)

Sam Baldock's imposing office building, which it stands in the rear of. The station must be of marble, but the resolution doesn't specify what kind of marble. I suggest pink marble. Then people will know it isn't the political doghouse for the state capital. Pink would be pretty too. You can get it in Alabama; and it will last just as long as white as a monument for Salem's discredit in letting the thing be perpetrated.

Harmony with the capitol group calls for a statue on top. Not a guy in gold pants holding an axe; that would be too close a resemblance. Say, an effigy of George Rhoten mounted on a bulldozer. He was the one who was able to drive his petition for a zone change through the zoning commission and city council and push aside or ride over two state legislatures, the governor, the board of control, the highway commission, the capitol planning commission and the city long range planning commission. That earns him recognition in statue, done in chrome, or brass.

By all means there should be a sunken garden. I know the lot is small; but space must be reserved for a large sunken garden. That will harmonize with the capitol group - and it will be a proper place for the city zoning commission and the city council to lie down in, marking another low in their management of city zoning.

## Literary . . . Guidepost . . .

By W. G. Rogers

The Friend, by Perry Wolff (Crown; \$2.75).

In the fall of 1944, some American troops are sent to attack some almost impregnable Siegfried line positions. At the moment of the jump-off, it is suddenly discovered that they do not know as much about where they are going as they should. But a colonel has to do what a general says, as soldiers have to do what a colonel says, so they advance blindly into a nest of very open-eyed Germans. Caught in this ugly mess is Roger Stoddard, and at an almost safe distance to the rear his friend, Leon Harris, tries to figure ways of saving his skin; it develops eventually that friendship is something more than the sum of friendly deeds. The action in this novel does not always seem as inevitable an illustration of the theme as it should be, but it's a sound theme, and piping hot action.

The Plymouth Adventure, by Ernest Gebler (Doubleday; \$3).

One hundred and two passengers sailed aboard the Mayflower and after a two-month trip and a winter of hardship, 56 survived by the time the vessel left for London in the spring of 1621. Out of the adventures of some of the chief figures . . . Miles Standish, William Brewster, Bradford, Winslow, John Alden, Priscilla Mullins, Capt. Jones . . . Gebler has made a "chronicle novel." He says it was London merchants' trickery that landed the seafarers so far north; that they cooked only every three days on the crossing, washed little and smelled a lot; that Alden, Priscilla, Dorothy Bradford were involved in unpractical emotional storms; that Standish had boils, Jones a toothache, and so on. Details like these make the whole venture more real but less important; I now have an idea the Pilgrims were sailing, not for Plymouth, but for Hollywood.

## Abstract Design

My four-year-old's an artist. He beams with righteous pride

As I praise his choice of colors  
And his brush strokes fine and wide.

But his joy's a little jaded  
And his smile's a little wan  
As I fail to guess correctly  
What it is that he has drawn.  
—J.W.S.

## TONIGHT!

And Until Friday 7:45  
RENEE

10 YR. CHILD PREACHER  
Many Souls Are Being Converted!  
Evangelistic Temple  
Market St. - Park Ave.

## 6 TB Hospital Patients to Get SHS Diplomas

Six patients at the state tuberculosis hospital will be awarded Salem high school diplomas Tuesday, June 6, at 7:30 p.m., in a program at the hospital.

The exercises will include an address by Dr. Chester W. Hamblin, pastor of First Presbyterian church; presentation of graduates by Dr. G. C. Bellinger, hospital superintendent; diplomas given by Dr. A. W. Nelms, Salem director of special education; prayers by the Rev. Emil H. Becker; violin solo by Bonnie Litchenberg; baritone solo by Charles Dahlen; clarinet quartet by Loren Bartlett, Ray Conder, Alice Lehman and Leona Todd.

Graduates are Margaret V. Garley, Maxine Joyce Duke, Viviana Irene Dunford, Helen D. Loughry, Richard N. Mauldin and Herbert Peters.

## Hillcrest Girls To Graduate

Six high school and eight grade school diplomas will be presented Friday to girls at Hillcrest school for girls at exercises Friday at 2 p.m. The program will be followed by open house in the school, including new buildings.

Speaker will be Secretary of State Earl T. Newbry. Dr. Seth R. Huntington of First Congregational church will give the invocation. Music will be furnished by girls of the school.

Awards are to be presented from Salem Soroptimist club to the girl highest in scholarship and

from the school to the girl who has made the most progress.

## Now you Know!

The answers to everyday insurance problems ★

By Sid Boise



QUESTION: In applying for a fire insurance policy on our home should we include the garage? We also have a small garden tool shed and would like to know whether it should be included.  
ANSWER: If the garage is attached to the house, it should be included in the total amount of insurance on the main building. If the garage is separate from the house (on other than farm property) 10% of the insurance on the house automatically applies to buildings used "to service the main dwelling." If this is insufficient, the garage or tool shed may be separately insured.

Huggins INSURANCE  
373 N. Church Phone 3-9119  
Representing General of America Co.'s

## City Transit Lines BUS RE-ROUTING & NEW FARE ZONES

Effective June 1, 1950

New routes and timetables become effective June 1, 1950. You can obtain new information folder from your drivers or the City Transit office.

On the same date a 60-day trial operation of a new fare plan will be placed in effect. Under this plan passengers living close to town will be enabled to ride for a round trip fare of 15c. Two tokens will be sold and one token entitles rider to one ride from the fare zone limits to Court and Commercial. The other token is for the return ride. NO TRANSFERS will be issued on this reduced fare. The regular 10c fare will entitle passenger to transfer.

The method of fare collection will be revised as follows. INBOUND to Court and Commercial passenger will pay fare as he enters bus. OUTBOUND from Court and Commercial passenger will not pay fare until he leaves bus.

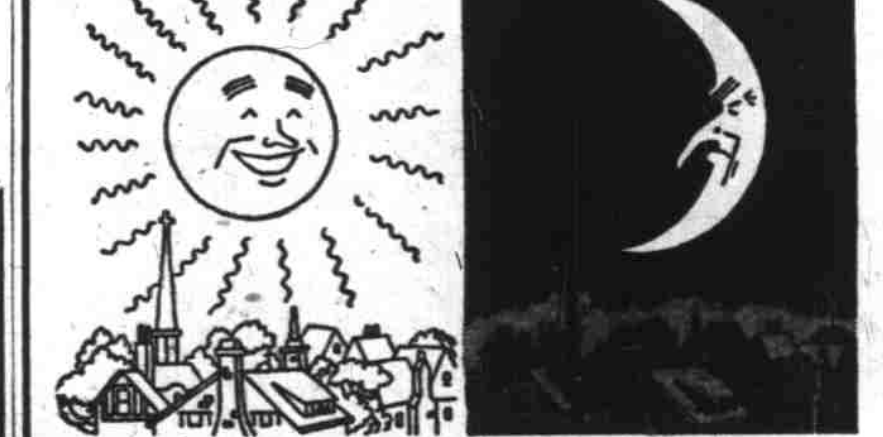
Following are the routes and beginning point of the reduced fare zone on each route.

ROUTE NO.	NAME ROUTE	FIRST POINT	LOW FARE
1	Capitola	Hood & Church	
2	Highland Ave.	Hood & Broadway	
3	Fairgrounds Rd.	Hood & Commercial	
4	Market St.	Summer & Market	
5	Park-D	D St. & Pacific Highway	
6	Chemeketa	12th & Center	
7	Four Corners	12th & Chemeketa	
8	State St.	12th & Chemeketa	
9	Mill St.	12th & Chemeketa	
10	12th St.	12th & Oak	
11	So. Commercial	Owen & So. Commercial	
12	Liberty-Browning	Bush & High	
13	Liberty-Boone	Bush & High	
14	Keizer	Hood & Commercial	
15	Fruitland-Swegle	12th & Chemeketa	

Your cooperation will make this plan a success. We appreciate your patronage and sincerely hope the new re-routing plan and new zone fares will better serve you.

## CITY TRANSIT LINES

Ride the Bus—No Parking Fuss



## Daydreams and NIGHTMARES

● How often fate determines our fortune! Ill health, for example, may quickly change the course of a career. To protect yourself against disaster, neglect no illness or injury. Call on the doctor before he has to call on you! Accept his experienced counsel. Then, bring his prescriptions direct to this pharmacy for our always-careful compounding.

## CAPITAL DRUG STORE

State at Liberty "On the Corner"  
RELIABLE PRESCRIPTIONS