...SE DISCUSSES ...S. CONSTITUTION

...NTINUED FROM PAGE 1)

... with the sense of justice or ... the social welfare, there should ... hesitation in frank avowal and ...shonment. We have had to ... sometimes in the field of con...tional law."

...re are those who believe that ...stitutional rights depend more ... the personnel, now and in the ... of the United States supreme ... than upon the language of the ...tution, or the decisions in the ...

...r cite such cases as the recent ...house decision in support of their ..., pointing out that had there ... one more Mclleynolds on the ... a significant congressional act ... have been declared unconstitu... and the cost to this country, ...ial and physchological, would ... been stupendous.

...r suggest that such clauses as ... process, commerce, and con...merce do not and cannot have ... meanings—that they are highly ... terms and the meanings given ...em in any constitutional contro...sy will be determined, to a large ... by the political, social and eco...mic court.

...y classify the judges as liberals and conservatives and they point to the number of five-to-four and split decisions on constitutional questions dealing with great social and economic problems; such as, child labor, taxation, commerce, property vested with a public interest, interference with contract.

These critics contend that time after time the judges seem to divide in accordance with their known social and economic views.

Unquestionably, the writings and decisions of the so-called liberals on the court show a difference in emphasis as to the social ends and philosophy from those of the conservatives.

Thus we find Cardozo, in his book, "The Nature of the Judicial Process," writing with an objectivity so characteristic of him, "that the adaptation of rule or principle to changing combination of events demands the creative action of the judge."

After discussing the influence which precedent exerts on any judge, we find him admitting that subconscious forces influence judicial decisions. His discussion of this matter is o frank and honest that I feel justified in quoting from it at some length:

"Deep below consciousness are other forces, the likes and the dislikes, the predilections and the prejudices, the complex of instincts and emotions and habits and convictions, which make the man, whether he be litigant or judge. . . . The great tides and currents which engulf the rest of men, do not turn aside in their course, and pass the judges by . . . Marshall's own career is a conspicuous illustration of the fact that the ideal is beyond the reach of human faculties to attain. He gave to the constitution o fthe United States the impress of his own mind; and the form of our constitutional law is what it is, because he moulded it while it was still plastic and malleable in the fire of his own intense convictions."

Cardozo quotes with approval the words of Theodore Roosevelt to the effect that "The chief lawmakers in our country may be, and often are, the judges, because they are the final seat of authority. Every time they interpret contract, property, vested rights, due process of law, liberty, they necessarily enact into law parts of a system of social philosophy; and as such interpretation is fundamental, they give direction to all law-making."

Other members of the court have written in a similar vein. Thus, Holmes declared shortly before he retired:

"I can discover hardly any limit but the sky to the court's present power in disallowance of state acts which may happen to strike a majority of this court as for any reason undesirable."

If Holmes is right, then the sky is the limit for the court in sustaining legislation which may strike the members as desirable.

In the case of Burns Baking company vs. Bryan, the majority decision written by Pierce Butler declared unconstitutional a Nebraska statute requiring that bread be sold in pound and a half loaves. Butler held that the act was unreasonable and arbitrary.

Brandeis in commenting upon the decision of the majority characterized it as "an exercise of the powers of a super legislature."

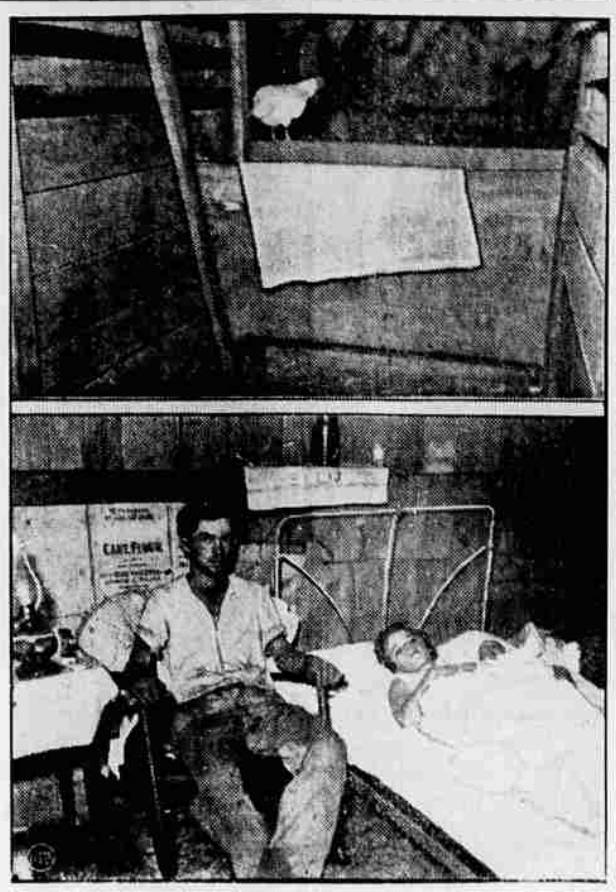
In an even stronger vein, Hughes, while Governor of New York, wrote these words, "W eare under a constitution, but the constitution is what the judges say it is."

But such language should not be interpreted to literally, nor should we form the conclusion that constitutional decisions of the court are naught but rationalizations in legal language of the prejudices and personal philosophy of the judges.

The record of the court for fearless, independent decisions uninfluenced by waves of popular clamor stand to its everlasting credit and the decisions of the court on constitutional questions have for the most part been works of art in moulding the constitution to changing social demands.

Nevertheless, it is well to recognize the fictitious features of the oft repeated maxim that our government is one of laws and not of men because, as the realists point out, a study of law in action shows our government to be one of laws and men.

BABE IS BORN IN MANGER!



Not "Wise Men of the East," but kindly Barnesville, O., folk came with gifts for the baby born in a manger at the town's race track to a jobless couple. After the newcomer had arrived, without medical attention, in a straw-littered horse stall which the homeless transients, Mr. and Mrs. Ellis Summers, had chosen for shelter, sympathetic townspeople brought clothes and food, and fitted up their "room" in the manner illustrated below, where the proud parents are shown with their offspring. The picture above, that of an adjoining stall in which the baby's blanket hangs, reveals how the girl's birthplace had previously looked.

FAIRGROUNDS PLAN LIKED BY ENGINEER KARSTETTER OF WPA

Thre weeks' time or more will be required to get Lane county's recreational center project at the fairgrounds through the necessary channels before funds are available, according to J. J. Karstetter, Salem, chief engineer for the WPA in Oregon, who was in Eugene Thursday. The engineer said he doubted if it could be put through in three weeks as there is so much „red tape" to be unwound.

All PA projects must first go to the district office, then to the state office and from there to Washington, D. C., where the final O. K. is given and this takes considerable time, the engineer pointed out.

Mr. Karstetter said that the recreation center project is one of the finest that has yet been submitted in the state and he expressed the opinion that it will have no difficulty in being approved.

The engineer announced that the existing SERA projects will be continued for some time this month as the WPA is not yet in shape to take over the work. After the new administration begins to function well the SERA will be a thing of the past.

There is a possibility of setting up an approving agency of the WPA in Oregon and if that is done action on local projects will be much quicker, the engineer asserted.

Mr. Karstetter was in Eugene to acquaint himself with local affairs and proposed local projects.

The first Fresnel lens for lighthouses was installed in the beacon at Cape Henry, Va., in 1841.

Farmer in Court On Thistle Charge

George Nosler appeared in Justice of the Peace Dan Johnston's court Thursday on a charge of allowing noxious weeds to go to seed. He pleaded not guilty and will be given a hearing Friday at 1:30 p. m. He is accused of allowing Canada thistles to go to seed on the Ables farm northeast of Eugene.

MAN IS SHOT

ALBANY, Ore., Aug. 1.—(AP)—W. W. Thompson, 80, of Lebanon, was shot in the chest with the full blast of an accidentally discharged gopher gun today, but escaped serious injury. The gun was loaded with a shotgun shell containing large birdshot.

It is possible to play 734 different games with a single deck of cards.

"HE" WAS "SHE"!

Formerly "husband" and wife, Alice Dolores Hayes, 22, left, and Margaret Fowler, 14, are just girl friends now. Their strange marriage was annulled in Columbus, Kan., after the latter, a Galena, Kan., girl learned that "George" Hayes, good-looking Picher, Okla., oil station attendant, who had courted and wed her, was a girl, who had worn boy's clothing for years.

Baseball Scores

NATIONAL

At Pittsburgh—	R.	H.	E.
Chicago	5	10	1
Pittsburgh	6	10	3

Warneke, Kowaluk and O'Dea; Swift, Hoyt and Grace.

At Boston—	R.	H.	E.
Brooklyn	4	10	0
Boston	2	11	1

Zachary and Lopez; Cantwell and Mueller.

AMERICAN

At Chicago—	R.	H.	E.
Cleveland	8	14	0
Chicago	3	10	0

Lee and Phillips, Brenzel; Fischer, Salveson and Sewell.

At Detroit—	R.	H.	E.
St. Louis	3	8	2
Detroit	6	14	0

Van Atta, Thomas and Hemsley; Crowder, Hogsett and Hayworth.

THE AMERICAN TASTE IS BECOMING MORE CRITICAL

To people who think "Gin is Gin"

Are you one who believes the foolish legend that gin is gin?

That is an outgrowth of prohibition when throats became so seared by harsh, raw concoctions that they lost all appreciation for smoothness, bouquet and flavor.

Actually there is just as much difference between that kind of gin and Gordon's as there is between night and day.

If you doubt this, buy a bottle of Gordon's and compare it critically with most other gins.

In England, Gordon's is the best selling gin.

In frugal and fastidious France most of the gin sold bears the famous Gordon label.

Gordon's leads in Africa, South America, Australia, Canada and throughout the Orient.

Your own good judgment will tell you that Gordon's quality is one reason for such outstanding preference.

When gin is called for call for Gordon's.

94.4 proof

GORDON'S GIN

THE HEART OF A GOOD COCKTAIL

Glenmore

KENTUCKY STRAIGHT WHISKEY

Glenmore Distilleries Co., Incorporated, Louisville, Owensboro

100 PROOF

Here's News--

If You Own A Miniature Camera

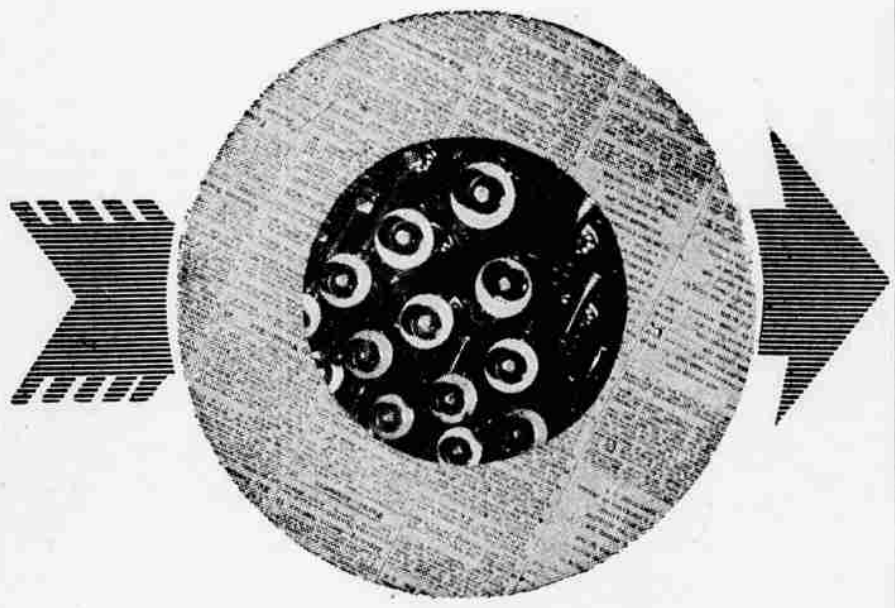
We have installed Eastman's newest piece of equipment, the **Kodaprinter.** It is made for printing and enlarging miniature films such as Contax, Leica, Norton, Univex, etc.

2¾ x 4 inch Prints from Small Film, each.... **10c**

• Fresh Film Always

CARL R. BAKER FILM SHOP

7th and Willamette



Phone Your Want Ad to

1 2 0 0

The moment you lift the receiver and call 1200 your buying, selling or renting problem is well on the way to a profitable solution.

The girl who takes your ad will see that it makes the next edition of the Register-Guard. Readers who may be interested in your proposition will quickly see it in the Want Ad columns.

Action . . . Results . . . Satisfaction! You'll get all of these things—plus courtesy and co-operation in wording your ad over the phone—when you phone an ad-taker at

PHONE 1200

Back to School Dress Material

SALE OF A. B. C. PRINTS 1000 YARDS

Fast color 80 square prints in a brand new selection of patterns. See this exceptional showing of these famous prints.

Regular 23c yard—now **19c yd.**

SHOP NOW AND SAVE!

- **Fast Color Broadcloth** ..... yard 15c — Fine quality broadcloth in a big selection of popular shades and white—a real value.
- **80-Sq. Unbleached Muslin** ..... yard 10c — A real saving in full count 80 square unbleached muslin. Regular 15c value.
- **Dotted Swiss** ..... yard 23c — An exceptionally fine quality Dotted Swiss in white and pastel shades. Just received for this sale. Regular 39c yd.
- **Women's Knee Hi Hose** ..... pair 25c — Fine quality Rayon Knee Hi Hose with genuine "Lastex" tops. Popular shades.
- **Women's Inner Belt Corsets** ..... each $1.39 — An exceptionally fine quality corset with elastic inner belt. See this value. Sizes 36 to 46.

Sale!

KNITTING YARNS

"Polar" brand fine quality yarns at a real saving to you.

"Polar" Knitting Worsteds 3¾-ounce Hanks, each **39c**

"Polar" Shetland Floss— 1-ounce balls, each **15c**

Clearance

Peters "Weatherbird" Children's Footwear

One big lot of two tone oxfords for children — all leather construction. Size 8½ to 2½. Regular prices to $2.69. Now **$1.49** Pair

(Peters "Weatherbird" Shoes for children wear better).

Sale!

Fall Dress Trousers

Just received for fall. Men's collegiate dress trousers with pleated front and welt seams. Popular black and white check design. Sizes 30 to 36.

Now $2.69 pr.

(Extra charge for alteration)

Boys' Cord Longies

Boys' guaranteed corduroy longies in navy blue color or elephant shade. Full cut and serviceable. Pair **$1.69**

Boys' Wool Longies

Boys' flannel wool longies in a beautiful shade of brown. Ages 8 to 16. A real value—pr. **$1.49**

Men's Fancy Dress Socks

Special for Thursday, Friday, Saturday Only

Men's fine quality cotton and rayon dress socks in a variety of patterns to select from. Regular 10c values.

Now 7c pr.

Men's B. V. D. Broadcloth Shorts

Men! If you want service and comfort see these fine quality broadcloth shorts—made by B. V. D. Sizes 32 to 44—pair. **49c**

Men's Broadcloth Pajamas

Men's fast color broadcloth pajamas in solid color and fancy designs. Button or slip-on style coats. Contrast color trims. Elastic waist pants. Sizes A, B, C, D.

Now 98c

CLEARANCE!

Men's Sport Oxfords

Men's black and white sport oxfords at a real saving. Mostly all sizes in the lot. Values to $4.98—now pair **$1.98**

Boys' Broadcloth Shirts

In either sport or regular style. Full cut and fast color broadcloth material. Sizes 6 to 14½. Special, each **49c**

Men's Mesh Polo Shirts

Fine quality mesh sport shirts for warm weather wear, in white, yellow and blue. Special, each **59c**

"Las-Stik" Stick On Sole

Pure gum rubber stick-on soles for men, women and children. Easy to apply. Pair **23c**

WILLIAMS' STORES INC.

"Where the Thrifty Buy — And Save"

NEW STORE AT 1015 WILLAMETTE

HIGH HAT THE HUMIDITY! CLEAR HEADS COOL OFF WITH CALVERT!

Captain R. Stuart Murray, famous explorer, takes Calvert into humid jungles to cheat heat! . . . Scientific evidence, tropical experience, prove Calvert cools!

HIGH hat the humidity! How? As Captain R. Stuart Murray will, in tropic British Guiana! With refrigerating CALVERT!

Below the Equator, for cooling off, whiskey is a 3-to-1 favorite. Ecuador prefers it 7-to-1! Colombia, 23-to-1! And Science upholds the experience of tropical countries! Says CALVERT "allows a rapid lowering of temperature."

So call for CALVERT . . . the best of the better blends! Enjoyed in gentlemanly moderation, CALVERT leaves you cool tonight, collected tomorrow! Use good judgment . . . buy better whiskey . . . call for CALVERT!

AT STATE STORES

QUARTS $2.55 (Code No. 269A)

PINTS $1.30 (Code No. 269C)

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"Throughout 13 years in the hot, steaming tropics I've noticed men who know how to live well call for whiskey—by far the most cooling, restful drink. I'm taking an adequate supply of my favorite—CALVERT—to tide me over my four months' isolation in the Guiana jungles this year."

R. Stuart Murray

Leader 1935 British Guiana Expedition

CLEAR HEADS *call for* Calvert

Best of the Better Blended Whiskies

TRY CALVERT'S "POLAR BEAR FIX"

Simple to Make! Easy to Take!

Half fill a highball glass with shaved ice. Next, pour in 1 wineglass of CALVERT. Then add 1 large teaspoonful of powdered sugar dissolved in a little water. Now, pour in the juice of ¼ lemon. Stir and decorate with fruit in season.

FREE! Write for CALVERT'S "Guide to Cooling Hot-Weather Drinks."

Buy Better Whiskey