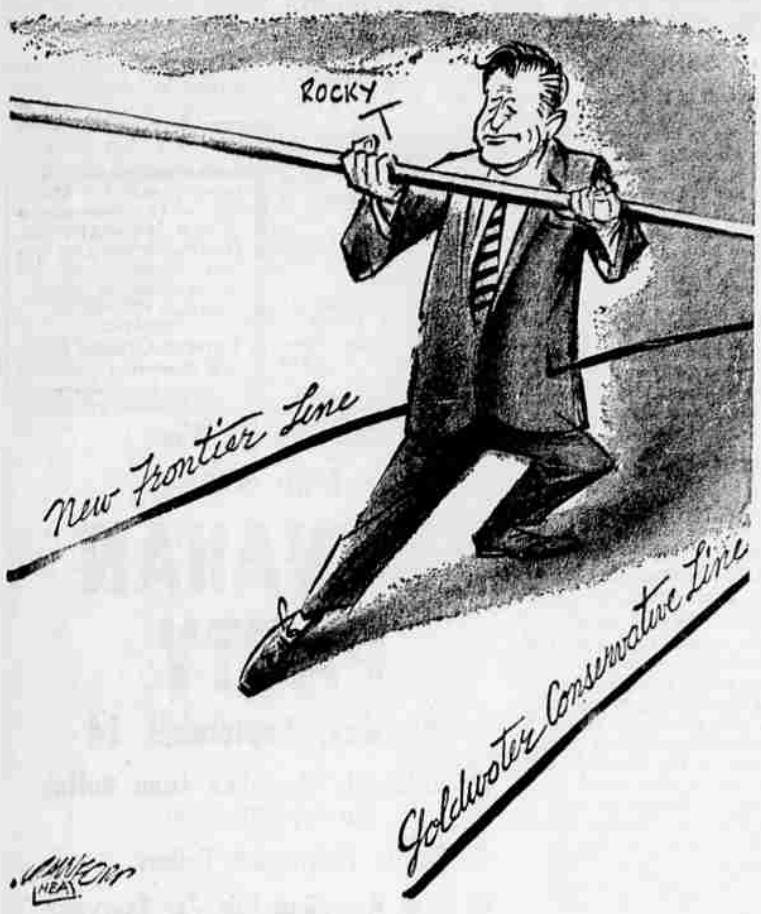
The middleman



There's a darned good reason for making the bar exams tough ones

The Eugene Register-Guard, in an editorial headed "Why The Miserable Bar Record" raises questions about the percentage of law students passing this state's bar examination each year. The editorial makes a good point; the newspaper feels too small a percentage of those taking the state's bar examination this year passed. The Eugene newspaper appears to feel the fault lies with the examination and those giving it. After a rather complete check of the situation we disagree.

The passing grade in this year's bar examination was the same as the passing grade in last year's bar examination. And it was not particularly high, by examination standards. Over the years the passing requirements have been lowered. For the past two years the passing grade has been the lowest since 1947. The Oregon Supreme Court picks those who make up the examination, specifies the fields of inquiry and the subject matter, limits the circumstances under which the test must be taken. These have not changed this year.

Still, fewer students passed (60 per cent of those taking the exam) than have passed since 1951. The 1951 figure was so low as to be the cause of a study and report by Justice Brand of the Oregon Supreme Court. Brand found criticism of the test and the testing procedure unfair. Since there has been no major change since that time, it would appear the Brand report is still valid.

Why, then, did so many students fail to pass this year's bar examination? Why do so many have to wait until they can take the examination once more before they will know whether or not they can practice law in Oregon? The Bulletin asked these questions of a man who has been involved for many years in the unpaid, and sometimes unpopular, job of making up and administering bar examinations, in this state and others.

"Basically," he said, "the problem was one of communication. This was, on the whole, the poorest-written examination the group of examiners had ever seen. There were 18-20 persons involved in the grading of the papers, and this impression was gained by all of them. Grammar, spelling, sentence structure were bad, so bad it was impossible to make heads or tails out of a number of the answers."

English, as this newspaper has said before, is a very inexact language when used poorly. Law is a very exact thing, which must be expressed with great clarity. Poorly-written law is a public abomination. We have too much of it already. There's no sense in building more into our system. It would seem that a law student who is so poorly prepared he cannot express himself with clarity and simplicity — at least so a person reading his examination paper is not left in the dark as to his meaning — would make a poor attorney.

There's good reason for lawyers, or would-be lawyers, to receive a very careful examination. If a person observes normal standards of good behavior after he passes a bar examination, he has a lifetime license to engage in his profession. There are no further examinations, to determine that he has kept current. He needs to engage in no further study (although most attorneys do) after he completes law school.

The problem, perhaps, can be cured. It will require law schools to broaden the education they offer, which is generally pretty limited, as is the case with most graduate professional schools. It will require law faculty members to be more vigorous in weeding out those who obviously are not going to be able to pass the bar examination.

If the exam's passing grade has been regularly lowered, as it has, the fault lies more with the preparation of the student for the examination than the examination itself, or the manner in which it is given or graded.

Fadeley does it again

State Sen. Edward Fadeley, a Eugene resident, occasionally is afflicted with an acute attack of foot-in-the-mouth- disease. Fadeley talks before he thinks. Typical, perhaps, is the following news story, as received in The Bulletin's news room, in its entirety:

EUGENE (UPI) — Sen. Ed Fadeley, (D-Eugene), charged today that major auto manufacturers were trying to exact "an excessive profit" from the installation of seat belts in new cars.

Seat belts will be required in all new autos sold in Oregon after Jan. 1 of next year.

Fadeley charged some manufacturers have announced plans to charge seat belt installation fees that are about twice the cost of having the devices installed by Junior Chambers of Commerce.

Of course the Jaycees can install seat belts cheaper than anyone else. It's a good project, and they do it well. Their purchasing power is considerable, so belts don't cost them much more than the manufacturers pay for their supplies. The Jaycees have no labor costs, a fortunate situation for them, but one which is not enjoyed by the manufacturers. They use borrowed tools, they erect no buildings, they pay no taxes on their inventories, and they pay no income taxes on their profits. Under these circumstances it is not surprising to anyone — excepting Sen. Fadeley — that the Jaycees can do the job cheaper than anyone else in the field.

Quotable quotes

That's saved by the bell, isn't it? — Charles Ray Morgan, a young husband who was standing in line at an Army induction center when word came of President Kennedy's "bachelors only" draft edict.

If American aid is withdrawn, we will have to manage somehow. — Msgr. Ngo Dinh Thuc, archbishop of Hue in South Viet Nam, commenting on reports that the U.S. may curtail aid to his country.

How did nation become involved?

Huge U.S. investment in Viet Nam threatened

(EDITOR'S NOTE: More than 14,000 military personnel and billions of dollars have been poured into the struggle against communism in South Viet Nam. Now this vast investment is threatened by unrest within that little Asia nation and by policy differences between Washington and Saigon. The following dispatch by UPI's chief Washington diplomatic reporter explains the stakes and tells how this country became involved.)

By Stewart Hensley
UPI Staff Writer

WASHINGTON (UPI) — "I do not want to hear any more about Indochina!"

The speaker was not — as you might imagine from reading today's headlines — John F. Kennedy.

Rather it was Franklin D. Roosevelt. The time was more than a score of years ago. And the exasperated statement was aimed at Roosevelt's military chiefs who had been pressing him for policy guidance on the area.

Paradoxically, the authority for the quotation is Dean Rusk, then an obscure Army colonel in the Far East and now, as secretary of state, the man with prime responsibility for U.S. policy in South Viet Nam.

Face Tough Decisions

Rusk and his present chief, President Kennedy, sometimes must feel like echoing Roosevelt's remark. But history and the march of communism in Asia have hemmed them in and demanded agonizing decisions.

The United States is deeply committed to continue supporting South Viet Nam in a frustrating campaign, fought in the jungles and rice paddies against elusive Communist guerillas.

American officials believe a Communist victory could open the floodgates for a Red tide which would eventually engulf the remainder of Southeast Asia.

The U.S. commitment in Viet Nam involves $1.5 million a day in military and economic aid and 14,000 American troops advising and fighting alongside South Vietnamese.

Embarrasses Washington

As sometimes happens, the ally with whom the United States must work is a dictator whose repressive actions against his own people frequently embarrass Washington.

The United States has publicly assailed the violent attacks by the secret police of President Ngo Dinh Diem's Catholic-dominated government on Buddhist temples and the arrests of thousands of monks, nuns and students.

But how much farther can Washington go?

Withdrawals of U.S. support might result in chaos and Communist victory. Diem is a stubborn man and some officials believe he would rather die than give in to U.S. demands for political reform, which he insists are impossible as long as the fighting continues.

With U.S. military and economic aid ordered by President Dwight D. Eisenhower, Diem made enough progress to attract the all-out attention of the North Vietnamese Reds. With moral and material support from Red China Communist guerrillas began the long and bitter effort to overthrow Diem.

The United States increased its support for Diem's regime as the Red attacks mounted. When President Kennedy assumed office in 1961, some of his advisers favored direct American military intervention to turn the tide.

But after a survey by Gen. Maxwell D. Taylor, then a special presidential adviser and now chairman of the Joint Chiefs of Staff, it was decided the better course would be to supply more military aid. It also was agreed to send jungle-wise U. S. Army Rangers into South Viet Nam as "instructors."

Forces Have Increased

These forces, many of whom have engaged in actual combat when necessary — have increased from 2,000 in January, 1962, to more than 14,000 at present.

In 1955, when Diem was consolidating his precarious hold on South Viet Nam, he ruthlessly suppressed military units of various religious sects attempting to take advantage of the chaos.

After the Taylor mission, however, Diem agreed to various political economic and social reforms which the Kennedy administration felt were necessary to win popular for the anti-Communist war among the South Vietnamese.

He made some gestures, but they fell short of Washington's hopes.

Even so, steady progress in the anti-Communist fight heartened Kennedy and his aides until the sudden attacks on Buddhists focused world attention on the somewhat less than perfect democracy in Saigon.

While Buddhist complaints stemmed originally from alleged discrimination by the Catholic minority, their protests soon became the focus for long-smouldering discontent among intellectuals and other Vietnamese elements.

Aware Of Shortcomings

The Kennedy administration is well aware of the shortcomings of Diem and his government. It is also aware that his actions have tarnished the image of his chief supporter, the United States.

It would like him to get rid of his brother and chief adviser, Ngo Dinh Nhu, who heads the secret police and is blamed for the excesses of the regime. Washington would like to see political and social reforms.

There is some doubt, however, just how much pressure Washington can exert — even with the leverage of its massive military aid — without precipitating a break with Diem which would benefit only the Communists.

This is the question Kennedy and his top advisers are wrestling with at this point.

Spanish want to keep close ties with U.S.

By Phil Newsom
UPI Staff Writer

MADRID, Spain (UPI)—Spanish officials emphasize that maintaining close relations with the United States is a keystone of Spanish foreign policy.

They say this will continue to be true regardless of the current outcome of Washington negotiations for the renewal of the U.S.-Spanish base agreement.

The agreement, concluded in 1953 and due to expire this Sept. 26, covers U.S. Strategic Air Command bases at Torrejon outside Madrid, Moron outside Seville and Zaragoza midway between Madrid and Barcelona, and the Mediterranean naval base at Rota. Other, smaller, installations also are involved.

Generalissimo Francisco Franco's government called for a re-examination of the treaty terms on the grounds that after 10 years changing conditions justified certain changes.

Talks in "Delicate" Stage

Government officials here are wary of describing the exact changes sought or the progress of the negotiations, which they describe as being in a "delicate" stage.

But the say that since 1953 the Soviet Union has achieved parity with the United States in nuclear warfare and that a cover of fighter planes is no longer sufficient for Spain's defenses. Therefore, they say that Spain is taking an even greater risk now than before in permitting the bases on her soil.

Such an argument lends weight to reports that, among other things, Spain believes that further U.S. military aid should be given in the form of modern weapons and that it should be free.

The U.S. position, according to these reports, is that further modernization of Spanish armed forces should be Spanish expense.

Terms of the Agreement

Under terms of the agreement, negotiations for renewal may continue six months after the expiration date and if no agreement is possible then the bases should be vacated by the end of the year.

No one expects this to happen.

Although Spain is known to believe she should have membership in NATO, Spanish officials deny vehemently that NATO membership also is a condition of further use of the bases.

RAIL HEARINGS SET

WASHINGTON (UPI) — The seven-man railroad arbitration board has announced it will open formal hearings on Sept. 24 on the two major issues in the deadlocked rail work rules dispute.

Board chairman Ralph T. Seward said Thursday that the panel will hear evidence at public sessions, but the site for the meetings has not been determined.

Washington Merry-go-round

JFK finding it doesn't pay to reward enemies

By Drew Pearson

WASHINGTON — Some of JFK's friends are wondering just how long he will turn the other cheek to senators no matter how hard they slap him in the face. They also question the wisdom of this policy.

Even though the President instinctively is a charitable and kindly man, they feel that in the dog-eat-dog atmosphere of Congress, the policy of rewarding your enemies is not the way to get legislation through Congress.

Three case histories are cited as examples.

Case No. 1 is that of Sen. George Smathers, the handsome Florida Democrat, who held Congress in session one extra week last year, publicly flouting JFK, for the purpose of preventing a pocket veto of a special tax bill for professional men.

Kennedy not only took the public spanking without a murmur but turned around last spring and invited Smathers to join the Kennedy family on a yachting trip to celebrate the President's birthday. Smathers was the only senator invited on this executive family party, and the fact that JFK was rewarding a man who had publicly embarrassed him was not lost on other senators.

Case No. 2 occurred last June when the President took Sen. Dick Russell, the grave Georgia Democrat, on his private plane to the West Coast to try to appease him on civil rights. Even the lowliest freshman senator knows that nothing on earth would change Russell on civil rights. Nevertheless, the President singled him out above loyal senators for special treatment, even though Russell has teamed up with Republicans to oppose some of the most vital parts of the Kennedy program.

Having added to Russell's prestige by taking him on the West Coast trip, JFK is now in the embarrassing position of having the Georgia solon throw that prestige against the test ban treaty.

Unkindest Cut of All

Case No. 3 is that of Sen. John Stennis, the serious Mississippi Democrat, who has delivered the unkindest cut of all with his Preparedness Investigating Subcommittee report against the test ban treaty.

Not only did Stennis call a series of military witnesses certain to testify against the treaty, but he leaked part of his critical report to the press without making it clear that one member of his committee, Sen. Leverett Saltonstall, R-Mass., was opposed.

What the public doesn't know, but senators do know, is that the President and his brother had gone beyond the call of duty to appease and help the senator from Mississippi.

First, they made a special defense job for Stennis's friend, Fielding L. Wright, son of the former governor of Mississippi, giving him the jaw-breaking title of "Deputy Director to the Assistant to the Secretary of Defense on Legislative Affairs." When this column questioned young Wright on the reasons why he was so frequently absent from his job, including a long trip to Mississippi, he stated that he had gone to Mississippi to help Bobby Kennedy regarding the Meredith incident at "Ole Miss." This the Justice Department emphatically denied.

The Kennedy administration has also been solicitous about pleasing Stennis on other appointments and once permitted the idea to circulate that Stennis was under consideration for the next vacancy on the Supreme Court. All this was to help build Stennis up for his prospective battle with Gov. Ross Barnett, segregationist hero of Ole Miss fame, who plans to run against Stennis.

My Nickel's Worth

The Bulletin welcomes contributions to this column from its readers. Letters must contain the correct name and address of the sender, which may be withheld at the newspaper's discretion. Letters may be edited to conform to the directives of taste and style.

'Speech Instructor' title now outdated

To the Editor:

I would like to correct an error in last Saturday's Bulletin. In the caption and news item regarding the Olympic Ski Team dinner, reference was made to me as "speech instructor at Central Oregon College." This I have been in past years, but not now. My employment is with radio KBND. I gladly participated in the dinner activity because of my interest in all events in the area, and because as State Representative a member of the Governor's staff was here in the person of Mr. Warne Nunn. Thank you.

Kessler R. Cannon

Bend, Oregon,
Sept. 11, 1963

Voters pamphlet due on Oct. 5

SALEM (UPI) —Voters' pamphlets for the Oct. 15 tax referendum election will be mailed Oct. 5, Elections Supervisor Jack Thompson said today.

He said 875,000 of the 32-page booklets will be mailed. Cost of printing and mailing will be about $35,000, Thompson said.

CAPITAL CRIME RISES

WASHINGTON (UPI) — Police Chief Robert V. Murray says Washington's crime rate has reached an all-time high and will continue to climb unless Congress acts.

Murray said Thursday that Congress must remove restrictions on the police department, including the ban against so-called investigative arrests.

One thing about Harry Truman— he never ducked tough decisions

By Lyle C. Wilson
UPI Staff Writer

When Harry S. Truman took over on that April day in 1945, he cleared FDR's desk of a junky clutter and installed his own personal motto in a prominent spot. The motto read:

"The buck stops here."

HST was like that. He played politics for keeps, shot from the hip and, more often than not, wounded a fact or some innocent bystander. But he never laid off the blame on circumstances or associates. Nor did he duck the tough decisions that came his way.

This modest salute to the tough little man from Missouri was prompted by word from Albany, N.Y., and Washington, D.C., that the head men in those areas are reaching for an alibi to lay off blame for some of the conditions now existing.

There was the Sept. 9 story from Albany in which Gov. Nelson A. Rockefeller reneged on his 1962 campaign promise to hold the line on New York State taxes through 1966. Rockefeller said he didn't expect any new taxes next year but did not feel bound by his campaign promise thereafter.

And, who is to blame for Rockefeller's need to renege on his promise? John F. Kennedy, that's who. The governor said he did not feel bound because his campaign promise not to raise taxes had been based on a national economic growth rate promised but unachieved by the Kennedy administration.

President's Version

As Al Jolson used to say, you ain't heard nothin' yet. On NBC's Huntley-Brinkley news show this week, President Kennedy was asked about the wisdom of seeking a tax cut when the budget remains far out of balance. He replied:

"The reason the government is in deficit is because you have more than 4 million persons unemployed, and because the last five years you have had rather a sluggish growth, much slower than any other Western country."

And there you have it. Kennedy tricked Rockefeller with a promise that the growth rate—and tax revenue—would zoom. So, it isn't Rocky's fault that he cannot make good on a major campaign promise that helped elect him. Or, anyway, that is the way Rocky would want you to view it.

But the President, in turn, has been done in by the unemployed, 4 million of them, who ganged up to compel him to spend a great many billions of dollars beyond his tax revenue.

Government Costs Rise

Neither statesman mentioned that in the administrations of each the cost of government has risen almost perpendicularly as though from Cape Canaveral. Both are big-time spenders. The President and the governor are making to look very good Parkinson's law on government expenditure and revenue. The law is that government expenditure will rise to meet and usually to exceed revenue.

Federal revenue has risen from $81.4 billion in fiscal 1962 to $86.9 billion (est.) in fiscal 1964 while spending rose from $87.8 billion to $98.8 (est.) for this fiscal year. Rockefeller's spending record is similar.

All politicians tend to pass the buck on spending. It is not deemed dishonorable to spend other people's tax money to get elected or to keep your party in power. The voters could change that, if they would.

Other pens . . .

Next year

The Japanese have been quoted as saying, "Trick me once, shame on you. Trick me twice, shame on me." The youthful rioting in Seaside a year ago caught the area by surprise and unprepared. After that experience, Seaside could have been expected to be ready for a similar occurence this year. It wasn't.

With police and city officials bickering over what course to take, with inadequately trained volunteers in the city police line and with the State Police units too small to cope with the crowd, it was no wonder that the situation got out of hand again.

The Seaside rioting is too grave and too big a breach of the peace to be left up to the city authorities to control. With two "successful" years behind them, the youths who foment such deviltry can be expected to be back again next Labor Day in force. Recognizing their limitations, Seaside's officials should turn the job of preventing a 1964 riot over to the state authorities.

We would emphasize the word prevent rather than control. The object in planning would be to create a situation in which rioting could not begin, rather than relying on police clubs to curb it once it has begun.

Seaside Mayor Maurice Pysher, who also called the riots "Communist-inspired," contends compromise would have averted trouble. (If Communists really were behind the rioting, no amount of compromise would have kept them quiet.) He said:

"Since force has failed to cope with this situation, I firmly believe we must resort to some sort of friendly cooperation and entertainment."

If there is convincing evidence that the law will be enforced, it never will be broken. (Oregon Statesman.)

Barbs

A cake for an Ohio wedding was in the shape of a plane. Guests made a crash landing

It's the things that money can't buy that lead to the most happiness.

Most kids will have had their dental check-up when vacation is over. Then for the hard grind of school.

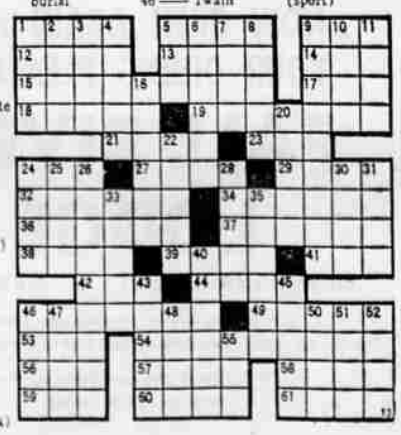
The way some grownups drive a car indicates they ought to grow up.

Famous Men

ACROSS
1 Irish dramatist
5 Robert ——, statesman
9 Southern general
12 South wind (Hawaii)
13 Repute
14 Age
15 Institute
17 Impair
18 Requires
19 Civil War statesman
21 Examine critically
23 Boy's nickname
24 Doze
27 Repose
29 Othello's ancient
32 Tree
34 More solid
36 Emphasis
37 —— Bevin, British Laborite
38 Ex-ruler
39 Trigonometry (ab.)
41 Streets (ab.)
42 Tennis term
44 Avoid
46 Spring celebrations
49 Toil
53 Abstracts (ab.)
54 Charm
56 King (Fr.)
57 Woody perennial
58 Image
59 Hindu mile
60 Withered
61 Outbuilding

DOWN
1 Integument
2 Sharpen
3 Before (prefix)
4 Precincts
5 Bushy clump
6 Grown-ups
7 Central points
8 Tendency
9 Summer drinks
10 Epochal
11 Merit
16 Egyptian god
20 Landmark
22 Banquet
24 Famous cartoonist
25 Does
26 Palsy
28 Pronoun
30 Exploit
31 Scraps
33 Wrapped for burial
35 Wild sheep (Asia)
40 Grater
43 Graceful behaviors
45 Confederate statesman
46 —— Twain
47 Erse battle cry
48 Eager (dial.)
50 Famous musician
51 Indian
52 Split
55 Mark in curling (sport)

Answer to Previous Puzzle



THE BULLETIN

Friday, September 13, 1963
An Independent Newspaper
Robert W. Chandler, Editor

Glenn Cushman, Gen. Manager — Jack McDermott, Adv. Manager
Phil F. Brogan, Associate Editor — Del Usselman, Circ. Manager
Loren E. Dyer, Mech. Supt. — William A. Yates, Managing Ed.

Entered as Second Class Matter, January 6, 1917, at the Post Office at Bend, Oregon, under Act of March 3, 1879. Published daily except Sunday and certain holidays by The Bend Bulletin, Inc.