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Judges and Their Critics

In James Main and Edward Kelly, Jackson county has two of the finest circuit judges in the state.

We make that statement without qualification, based on years of observing their work. They have the confidence and respect of the legal profession, and of others who have had an opportunity to see the kind of job they do in their exceedingly difficult and exacting positions on the bench.

Why, then, have we sometimes printed criticisms of them—criticisms which we, ourselves, believe to be unfounded?

WE HAVE done this because we feel that any public official, serving in any capacity, owes his ultimate responsibility to the people, and should not be immune from criticism if it is sincere and honest.

But, in Sunday's Mail Tribune, there was a letter in "Communications" which should not have been printed, despite the fact that it was written in good faith.

For one thing, it was based on a Mail Tribune story which was in error.

For another, it was written without a full understanding of some of the judicial procedures and safeguards employed by the courts.

The letter was directed at Judge Main, for reportedly suspending imposition of sentence on three confessed felons. It was based on a Wednesday Mail Tribune story, which incorrectly stated they had appeared before Judge Main when, in fact, Judge Kelly was presiding. Thus the criticism, if valid, should not have been directed at Judge Main. The error was corrected in a story Friday, but also should have been caught before the letter was printed Sunday.

To Judge Main, then, we offer our heartfelt apologies for any embarrassment it may have caused him.

Was the criticism of Judge Kelly's decisions valid in the first place?

On that, each will have to decide for himself. But it should be pointed out that a presiding judge has before him far more information on any case than can possibly be printed in a newspaper story.

HE HAS seen the individual. He knows his record. He has an opportunity to know, not only of the circumstances of the crime and of any possible extenuating circumstances, but also in many cases he has medical and psychiatric reports.

It is on these he bases his decisions, and not on any snap judgement that a confessed felon automatically must be locked up.

Too, he has at his disposal some very powerful judicial tools in the form of conditions which he can impose, and enforce, before a man is permitted to go free.

The judge, under oath, is bound to uphold that portion of the Oregon Constitution which says, "Laws for the punishment of crime shall be founded on the principles of reformation, and not of vindictive justice."

JUDGES of course, being human beings, sometimes differ in their approach to the solemn task of sentencing a man for a crime.

There are legitimate differences of opinion on leniency and severity, and on the relative merits of imprisonment, sentence suspension, or probation.

These, plus the facts in the case which the judge has before him, are the things with which he must wrestle, within the limits of the law, according to the dictates of his conscience, and under his duty to seek justice.

His is an awesome responsibility.

We know both Judge Kelly and Judge Main take this responsibility with grave seriousness, and thus we are truly sorry that we printed a letter, written in good faith but without full understanding, which tended to question unfairly the competence of our courts.

The integrity, ability and moral strength of Judges Main and Kelly is unchallengeable. In their differing ways, they are a great credit to the Oregon judiciary, and Jackson county is fortunate to have them for public servants.—E.A.

Flight o' Time

Medford and Jackson County History from the files of The Mail Tribune 10, 20, 30, 40 and 50 years ago.

10 YEARS AGO
 April 17, 1951 (Tuesday)

A hearing on the proposed ordinance to rezone the city of Medford will be held by the city council at 7:30 p.m. today.

Eleven fines were meted out yesterday to as many Jackson county youths on charges of acquiring and possessing alcoholic liquor; all were arrested Saturday night in a local ball room.

20 YEARS AGO
 April 17, 1941 (Friday)

The Big Y Super Market, located on north Pacific highway, will observe the completion of its first year of successful operation tomorrow.

From Arthur Perry's "Ye Smudge Pot" column: "One gloomy military expert predicts the war will last to near exhaustion, or approximately as long as the Oregon fish bill fight."

30 YEARS AGO
 April 17, 1931 (Friday)

A delegation of U.S. Congressmen will visit Crater Lake in July.

The city of Ashland plans to protest a decision by Southern Pacific to cut rail service to that city.

40 YEARS AGO
 April 17, 1921 (Monday)

The scenic preservation society here declares it deplorable the destruction of scenery along the Skakyou stretch of highway 99.

The high cost of living dropped two percentage points on the West Coast during March.

50 YEARS AGO
 April 17, 1911 (Monday)

The danger to fruit orchards from frost is now thought to be over.

The county road engineer has proposed that an old macadam road be built between Medford and Central Point.

What's Your I.Q.?

Nine or ten correct is superior; seven or eight is excellent; five or six is good.

1. What is the C. A. P.?
2. What, according to the proverb, is the "mother of invention"?
3. Name the General who was George Washington's rival for command of the Continental Army.
4. Who was Sigmund Freud?
5. What is the source of the name, "The Netherlands"?
6. From what is agar derived?
7. Flatbush is a section in one of New York City's boroughs; which one?
8. The name of which day of the week has the most letters?
9. Shintolam is the principal native religion of which country?
10. Was the message, "What hath God wrought?" the first to be sent by telephone, telegraph, or radio transmission?

Answers:
 1. Civil Air Patrol. 2. "Necessity." 3. Horatio Gates. 4. German psychologist. 5. Much of it is below the sea level. 6. Seaweed. 7. Brooklyn. 8. Wednesday. 9. Japan. 10. Telegraph.

Teachers and Books

Some people seem to be more afraid that their children might collide with a truck. They're for the collision of ideas, whether the ideas are put in the paths of students by books or by teachers.

We're happy to say that most of the high school students we know aren't likely to accept any adult—teacher or parent—as an idol and accept blindly his opinions. They delight in sharpening their intellectual fangs on positions an adult may adopt. And they toss aside as unworthy of the game those who blandly insist on being neuter.

WE KNOW a teacher whose classroom vibrates with arguments. This teacher often takes outrageous positions and defends them against the onslaught as if his life depended on it.

His class has a name in the curriculum, but what he says is "I'm teaching them thinking." So far he hasn't got in trouble. If he does he'll be in good company. Socrates made it.

To the people whose concern with education seems to be, "Don't let them out of the cocoon," we say, thank God, they're already out.—Portland Reporter.

Dennis the Menace



"I GOT TIRED OF PLAYING. SO I DECIDED TO DO SOME WORK."

Communications

Letters to the Editor must bear the name and address of the writer, although under certain circumstances the use of a pen name or initial for publication is permissible. The Mail Tribune reserves the right to edit all letters with a view to clarification and condensation. Letters submitted for publication must not exceed 400 words. The letters printed in this column do not necessarily represent the views of the paper; in fact the contrary is often the case.

EDITOR'S NOTE

In yesterday's communications column, a letter was printed which criticized, without foundation, Circuit Judge Main. The letter was based on an incorrect Mail Tribune story, and should not have been printed as written.

For this, we extend our apologies to Judge Main. Please see further discussion in editorial column.

Cougars and God

To the Editor: This is in reference to Mr. Bert Kissinger's letters on the subject: Do cougars really scream?

In the Umpqua Mountains, in my teens, I heard several weird cries of the type Mr. Kissinger reports. They were indeed blood-curdling, sounding to me like the wall of a demented human mother for her lost children.

But was it a cougar?

I can only say that older men in our party all thought it was and that, at the time, I was thoroughly convinced they were right.

Since that time, however, I have grown older and, I hope, a bit wiser. I have learned something of the requirements placed upon evidence that is to stand up in court. Obviously my own "evidence" in this case is merely hearsay and supposition, and anyone who has ever heard a lawsuit knows what the legal profession would do with that kind of evidence.

Unfortunately, so far as I can see, Mr. Kissinger's evidence to date is no better. It reminds me of the Bible-pious who make a case for the existence of the universe and then triumphantly sit back and assume that they have also identified this wisdom with the Biblical God. They forget that there are far more Mohammedans, Buddhists, atheists, and other non-Christians in the world than Christians and that it is hardly reasonable to expect non-Christians to be converted by such a feeble argument.

I suggest that what Mr. Kissinger must do to make a case is to find reliable witnesses who not only heard these screams but who were able to ascertain unmistakably that they came from a cougar.

Personally, I am still of the opinion that cougars DO scream. But we need solid evidence.

Almus Pruitt,
 119 North Central ave.,
 Medford.

Arraignments

To the Editor: I commended a valley grocer because he refused to sell beer and wine. "No," he said, "I don't sell intoxicants because of what they do to my neighbors. I hate the stuff. And yet let me tell you something, (Arraignments No. 1) the professing Christians and church people will go right by my door where they do sell intoxicants, to buy their groceries."

Another market nearer us, to which we gave our trade, refrained for long from the sale of intoxicants, but finally put in beer. I remonstrated with the manager, and quoted the scripture which says, "Woe unto him that giveth his neighbor drink, that putteth his bottle to him." (Arraignments No. 2) He said, "I didn't want to put it in, but the church people - no, I don't mean you, for you have traded with us - but others, the church people wouldn't stand by us, and we were forced to put it in." Of course I didn't agree with him as to their being "forced" to put it in, but I lamented that he must say, "The church people wouldn't stand by us."

A market that was formerly clean without beer and wine, now sells both. I remonstrated with the woman.

Do You Best

To the Editor: Many people seem to feel that people who write letters to your column, expressing their opinions and views and feelings, are either trying to show how smart they are or how stupid they can be, when in reality they are merely jealous because they can't write or haven't the nerve to. Or else they find from reading these letters that "the shoe fits them perfectly."

I will agree that some people do write just to try to impress on others that they are good Christian people or that they're more patriotic than others, etc.

However, it is my contention (and I might be wrong) that those who profess to be good Christians or patriots or who have you at quite as good as they say because very few of us are good Christians all the time - we all slide back at some time.

Besides, anyone who TELLS you he's a good person usually isn't. Others can tell if he's good by the things he says and through his actions.

I can't tell you that I'm a good person. I can only tell you that I TRY to be, for I am no judge. Anyway, I'll know when judgment day rolls around whether the good things I've done outweigh the bad and vice versa. All any of us can do is TRY to always do our very best.

No matter if the thing you do is very small or very great do it the best you can and if your neighbor is doing the same kind of thing you are and doing it in what you might feel is a haphazard way, remember it may be the very best he knows how. Or if your neighbor happens to do it better than you, don't become jealous because of his talent for doing better than he.

Your best is your best. Your neighbor's is his. Don't continually struggle through life trying to do as well as your neighbor but DO be conscientious in trying to improve a little each day in the things you have the talent for.

One mistake many parents make (mine did) is to set their minds on what their children shall be and how they are to do certain things. Set goals that a child CAN measure up to.

Gold Hill Lilly
 Gold Hill, Ore.

Foreign News: A-Bombs for Red China; Dissatisfaction Among Europe's Satellites

By PHIL NEWSOM
 UPI Foreign News Analyst

Notes from the foreign news cables:

Red Atoms
 Communist East German diplomats report privately Red China is pressing Russia again to give tactical nuclear weapons. This is not the first time Peking has turned on the heat for nuclear arms. In the past, the Soviets have resisted and they will again this time, say the diplomats.

Iron Curtain Cracks
 Lesser Red functionaries in Eastern Europe, faced with almost impossible production quotas and a series of farm failures, are getting restless. They want more freedom to make their own decisions, and note the way Yugoslavia, Poland and Stalinist Albania have talked back successfully to Moscow. Look for continued discontent, but for no lessening in the basic Communist beliefs of these Iron Curtain functionaries.

Dutch Crisis
 A cabinet crisis is in the wind in Holland, and a government collapse may come in three months or so, according to political observers. Issues are similar to those which caused the recent Belgian government downfall. Parties are re-aligning, particularly the leftist labor party and the Catholic party.

Drummond Reports

(Walter Lippmann is in Europe. Roscoe Drummond reports from Washington in his absence.)

MAN IN SPACE
 Washington - There should be no minimizing of the Soviet Union's fabulous feat of putting a man in orbit and bringing him safely back to earth - the first human conquest of "near space." The sky is no longer the limit. It is a heroic and mighty deed. But if we do not undertake it, as many did the first Sputnik, neither need we overrate it.

The experts in Soviet affairs are predicting that Moscow's new space achievement will toughen and stiffen Soviet diplomacy on the ground that Premier Khrushchev will feel that his hand has been strengthened. They are probably right.

BUT Mr. Khrushchev's "feeling" stronger does not make him any stronger. Soviet leadership will be stronger only if Western leadership feels weaker. There is nothing in the man-in-space achievement, worthy though it is, which alters the substance of the balance of military power between the Soviet Union and the West. Therefore, it should not be allowed to alter the balance of diplomatic power.

The Soviets led the world in outer-space "spectaculars" - the first Sputnik, the first moon probe, the first human to leave the earth's atmosphere and return - and they deserve unstinted respect. On the other hand the U.S. space flights have been far more numerous and, in the words of Werner von Braun, one not easily satisfied with our space progress, America's total scientific achievement in outer space "has been more solid."

Competition between the Soviet Union and the United States is all to the good and the difference between Russia's putting a man in space in April and America's putting a man in space in November is primarily psychological, not scientific.

From our standpoint, it would be better to be first in more things than we now are. But if Mr. Khrushchev thinks that he can play the "man in space" on the conference table and thereby have his voice either in Berlin or in Laos - he is miscalculating.

AT his press conference this week President Kennedy was asked whether the Soviet man in space would weaken the position of the West. He said that he thought the achievement would impress many people in many parts of the world but he did not believe it would "disadvantage" us at any significant point.

It will disadvantage us if we are in any way tempted to accept the Soviet suggestion that the Russians' position is now stronger and thereby entitles Moscow to have its way.

It will not disadvantage us if we in the West - ourselves and our allies - retain our resolution, our stamina, and our self-confidence.

The wording of the Soviet announcement hints that the Kremlin intends to use the man-in-space achievement as a new weapon of diplomatic blackmail. The feat is itself so superb that there was no call for boasting. But the Moscow report proclaimed that it puts the Soviet people in a different light "before the eyes of the whole world."

WE need to differentiate sharply between the impact of this splendid accomplishment upon people in Asia and Africa and its impact upon the balance of actual strength in the heart and center of the West, the Atlantic community.

The power of the Atlantic community to resist Communist pressure or aggression and to aid the underdeveloped nations remains strong. We are not weaker militarily and we do not need to be weaker diplomatically - unless we embrace the idea ourselves.

But the shifting balance of world opinion in Asia and Africa, especially impressed by

which is leaning toward cooperation with the leftwing. The rightwing parties now in control have failed to establish a stable government. Labor commands roughly one third of the votes in Holland. The Catholic party is the biggest in the country. An alliance or working agreement between them would be too much for the right-of-center parties.

Arms Trade
 A decision is in the works on American demands that West Germany increase its arms purchases to \$400 million a year from the present \$250 million to help ease the drain on U.S. dollars abroad. Bonn has offered to increase purchases to \$325 million. Washington has been holding out for the higher figure. A compromise is likely.

Washington Report

By William S. White
 (a United Features Syndicate)

RESPONSIBLE REACTION
 Washington - Official Washington - The White House and both parties in Congress - has responded with maturity and common-sense to the world-shaking feat of the Russians in hurling a man in a spaceship around the

outer earth. Everybody is worried at this undoubted evidence that the Soviet Union is ahead in the race for the conquest of space. Happily, however, everybody of importance is keeping his head, in awareness that rushing about frantically howling and moaning would do no good and might do much harm. The watchword among the top people is this: the tougher the going the greater the need for playing it coolly.

One of the most reassuring things possible in the circumstances is that neither party is trying to make two-bit partisan capital out of the fact that the Russians have hit us a very heavy one right in the eye, and no mistake.

THERE is a general acceptance that this is a black

Strictly Personal

By Sidney J. Harris
 (a General Features Corp.)

FEAR, POOR BASIS FOR MORALITY
 Not long ago, I flew down to Dallas to take part in a symposium sponsored by the U.S. Department of Health, Education and Welfare. The subject was "Youth and the Society We Live In," and the audience was made up of public health officers, social workers, educators, and the like.

This was part of a three-day conference on the growing venereal disease problem in the United States. Not only is the rate of VD increasing (despite a simple and inexpensive cure), but it is increasing mostly in the teen-age bracket. About one-fourth of all cases involve persons under 20 years old.

When, a few years ago, it was discovered that VD could be promptly and effectively cured, young people were no longer restrained by fear of infection. What had been a frightful killer became "no worse than a bad cold," and the net result of this medical advance was to create an attitude of sexual nonchalance toward promiscuity.

I think the same thing will happen with the new oral contraceptive. When the fear of pregnancy is removed, girls will tend to engage even more freely in pre-marital experimentation. Each scientific advance relaxes the moral code further.

Now I happen to think that fear is not a good motive for morality. The boy who does not steal because he is afraid of getting caught will steal when he feels he will not be caught. The only morality which is deep and permanent is based on love and intelligence, which are distinctly human traits, and not on fear, a trait we share with all the animals.

Our problem with young people, as I see it, is not to frighten them or to condemn them as wicked, but to make them see that sex is a part of the whole personality, and not just a physical act. It is to make them understand that EMOTIONAL and SOCIAL reasons make pre-marital sex imprudent.

Sex as a whole, I think, should be shifted from the moral to the psychic realm. What is "bad" about promiscuity is that it is always a sign of some deeper disturbance in the personality. Most promiscuous women are frigid, just as most promiscuous men are immature. Thus, they are unable to achieve any lasting happiness in life, because they are driven by uncon-

scious needs. Like the alcoholic, they are not free. The old moral restraints have almost given away entirely, and our young people are living in what I call a "value vacuum." That vacuum must be filled by a realistic program of mental health. Venereal disease is not basically a physical or a medical problem, but a symptom of our psychic distress in a world of changing values.

In the Day's News
 By FRANK JENKINS

There is a new word in our language this morning—COSMONAUT. We can't define it, because it isn't in the dictionary. It has just been created. But an AERONAUT is one who travels through the air. So we can assume that a COSMONAUT is one who travels through the cosmos.

So Greet Cosmonaut Gagarin.

COSMONAUT Gagarin seems to be a charming person. He's slight in build, and shorter even than Mr. Kroosh, who barely tops five feet. He is described as calm and self-possessed, and pleasantly spoken.

As described by Tass, the official Soviet news agency, he told at his reception in Moscow of all the things he saw out there in the Cosmos. The earth, the sky and the stars. The plowed fields and the meadows - which he could differentiate from each other, even at the distance of 200 miles. The shores of continents, islands, big rivers and large reservoirs. How the night and the day side of the earth looked from out there in space. How the sun looked, and the remote planets and stars.

It was a fascinating recital. **BUT** - There's a fly in the ointment. One hates to mention it. It sounds like sour grapes. Still . . . the fly is there.

IT SO happens that in Florence (Italy) a space science symposium is in progress. Among those in attendance at the symposium is Mr. A. A. Blagonravov, of the Soviet Academy of Science.

Mr. B. was interviewed in Florence by an Associated Press reporter. He told enthusiastically of the fascinating views of earth and the cosmos obtained by Cosmonaut Gagarin, as quoted by Tass.

The reporter listened . . . and jotted down notes. Then, at the end of the recital of what Comrade Gagarin had seen (as officially described by Tass) he asked a question. His question was this: "How was Cosmonaut Gagarin able to see all this so clearly? Were there any OPENINGS in the space ship through

which he could SEE?" The scientist Blagonravov replied: "THERE WERE NONE."

The reporter: "How then could Mr. Gagarin see all this?" Mr. Blagonravov: "BY RADIO."

HMMMMMMMM
 The Soviets may have radios by which one can see. We others haven't.

Or . . . Blagonravov may have meant to say BY TV. But he didn't say that. And he is a scientist. Scientists are supposed to speak with accuracy when they speak.

THERE may, of course, have been a TV set in the space ship. There may have been a screen before the eyes of Cosmonaut Gagarin, and he may have been describing what he saw on the screen. But the story, as told by Tass, certainly conveys the impression that he saw it all with his naked eye.

And how could he have seen it all with his naked eye if there had been no openings in the spaceship?