

The Evening Herald

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 MEMBER AUDIT BUREAU OF CIRCULATION

Avoiding Irrelevancies

IN many a heated election campaign, there comes a stage when the main issues are well-nigh obliterated by a multitude of irrelevancies. Great arguments are waged on matters that have no real connection with the legitimate issues to be decided by vote. Personalities become more important than principles. The thinking of whole groups of people is likely to go awry.

The circuit judge contest shows indications of such a digression. Much that is being said in this contest has no legitimate bearing on the problem at hand. The problem is to elect an official, qualified by training, experience, competence, temperament and fair-mindedness, to preside as judge of the court here.

The tendency to stray from the issues has probably been due, in part, to a considerable public misunderstanding of the duties of the office. In this connection, a contribution to clear thinking on the matter is made in a letter today from Mrs. J. R. Sherrick, who correctly states her understanding of the separate functions of the three branches of government. In the past several years there has been considerable overlapping of these functions. Hence, when the time comes for an election on the circuit judgeship, there is confusion over the principles involved.

Conscientious voters will strive to keep to the main issues in making up their minds on the selection of an official for this important office. The proper functions of the position, when clearly defined and understood, should be helpful in making the proper choice. The public welfare is best served when these functions are kept separate and distinct.

The Same Pattern

THE European war and the United States' policy in relation to it are following the pattern of 1914-18 with disturbing consistency. The present situation is moving more rapidly and on a wider front, but on the same lines.

German victory marks the first stage of the war now, as it did before. The Allies are on the verge of a desperate struggle to stem a ferocious German advance. Belgium has been invaded, along with other neutrals that were spared before.

All of this is happening in advance of an American presidential election, a situation comparable to the 1916 election, when Mr. Wilson won because he "kept us out of war." Europeans, it is said, believe Mr. Roosevelt has carried us closer to war than had Wilson before 1916.

There is a stubborn determination in this country to keep out of the European conflict. But questions of foreign policy have not so far played an important part in the preliminaries to the presidential campaign. Most of the talk has been about domestic matters.

Americans would do well to examine foreign policy and to make it a leading issue of the forthcoming national elections.

Theory and Practice

A FEW years ago there spread widely over England, especially among young men, a movement whose adherents took oath never to shoulder a gun in any war.

So popular was this movement that many believed that any British attempt to raise an army would face serious difficulties.

Many did stand firm on their convictions, and the conscientious objectors have had dignified and considerate hearings as they were called to service and stood on their principles. But in the last call of 312,912 men of age 26, only 3838 listed themselves as conscientious objectors, about 1.23 per cent.

Thus the force of circumstances has beaten down the conscientious principles of many, who realize now that only if German youth were in a position to take the same attitude could their principles set up an effective barrier against war.

SIDE GLANCES



"Come on, Grandma! I bet Grandpa you could walk the fence better than he did yesterday when he skinned his nose!"

HOW to EAT to BEAT the HEAT

By ALICE H. SMITH
 Nutritionist, Cleveland Health Council

If Grandpa lived to be 99 and "eat" everything he wanted, it looks as if there must have been something to his diet.

There was. He got his food in the natural state. He ate it before anyone took anything out of it. Science has gone a long way today to refine foods, but in the process some of the essential elements have been destroyed.

Grandpa got 'em all. So there is something to be said for the old way—and the new. If science has taken something out of some foods it has also told us where to look for it in other foods. Never was there greater opportunity than today to learn how to eat right—how to beat the heat, this time of the year.

Nor are all processed foods reduced in food value. The canning industry has so profited by science that scarcely any food value is lost today. In fact, the food in the can is better than something poorly cooked at home. By this is meant overcooked food, or cooked in soda, or food permitted to stand in water a long time, either before or after cooking.

Cereals seem to have suffered the most in refinement. Whole grains spoil easily, thus they cannot be stored in large quantities. The day is not far off, it is hoped, when whole grain cereal products likely will be as abundantly and as cheaply supplied as the highly milled products. Some progress already has been made along this line.

Whole grain cereals contribute generously to the Vitamin B1 or thiamin quota of the daily diet. The greatest deficiency of the modern diet is in Vitamin B1. Grandpa seems to have had all he wanted. Other foods, such as meat, especially lean pork, contain appreciable amounts but are much more costly than cereals.

Refined sugar has made many a deficient diet. Generally, sweets have high satiety value and thus kill the desire for the protective foods which the body really needs. The protective foods supply energy like sugar, but in addition supply the more vital elements such as proteins, minerals, vitamins, and roughage.

NEXT: Milk; the most perfect food—and why.

"We'll Do Our Duty" Pledges Holland Queen

THE HAGUE, Friday, May 10 (UP)—Queen Wilhelmina said today in a statement on the German invasion of the country that "I and my government will do our duty."

The beloved queen, in a proclamation to her people, said:

"After our country, with scrupulous conscientiousness, had observed strict neutrality during all these months, and while Holland had no other plan than to maintain strictly this attitude, Germany, last night, made a sudden attack on our territory without any warning."

"This was done notwithstanding a solemn promise that the neutrality of our country would be respected so long as we ourselves maintained that neutrality."

"I herewith direct a flaming protest against this unprecedented violation of good faith and violation of all that is decent in relations between cultured states."

"I and my government now will do our duty."

Air Batteries Open Fire On English Coast

LONDON, Friday, May 10 (UP)—Simultaneously with the German invasion of Holland, airplanes believed to be German Heinkels flew over the Thames estuary early today but dropped no bombs.

The planes were engaged by anti-aircraft guns ashore and on channel vessels.

The enemy craft passed over several towns and approached the southeast coast.

Fierce anti-aircraft fire, lasting for 10 minutes, awakened residents of Gravesend at 4:40 a. m.

Airplanes were heard overhead and puffs of smoke were seen over the estuary of the Thames river.

Anti-aircraft batteries were active at several points along the estuary. Five planes, believed German Heinkel machines, were seen flying over the estuary to the eastward.

Firing was particularly heavy after the enemy planes passed over Essex. It was reported that "all available batteries" were in action at Chatham.

No air raid warning was sounded in London.

COMING SUNDAY!

BUCKAROO BENNY AND HIS RODEO RUMPS COMES TO TOWN!

JACK BENNY
 in **BUCKAROO BENNY RIDES AGAIN**

with **Ellen DREW • Andy DEVINE**
Phil HARRIS • "ROCHESTER" Virginia DALE • Lillian CORNELL • Dennis DAY
 and **"CARMICHAEL"**

PINE TREE

NEWS BEHIND THE NEWS

By PAUL MALLON

WASHINGTON, May 10 — A new deal Bible on business and prices has come off the government presses without much more than an acknowledgment notice from the political reviewers. It is the 76-page decision of the supreme court in the Madison oil cases which opens a wide new field for the government to get at business groups and lay its hand firmly upon prices. This fresh legal genesis is so technical its furthest scope will only be understood generally weeks or months hence, but already the big hand here is reaching out in its wake.

Efficient Trustbuster Thurman Arnold, the assistant attorney general, is, for instance, looking quietly into the fresh tobacco field, as well as foods. Anti-trust suits against the four large tobacco companies may be instituted, in a case rivaling in importance the Arnold trust-crunching campaigns against building trades, the movies labor and the medical association. The big four companies control the major cigarette output in a way which may be legally classified by the justice department as restraint of trade.

Anthracite price protectives sponsored in Pennsylvania may be one of the immediate victims of the new court commandments. Steel could be, but this and other acts of legal aggression will wait their turn.

NEW LAW
 The court decision made new law. It said in effect that any semblance of business price-fixing is illegal, regardless of its wisdom, economic effect, or jurisdiction. You would not have to fix prices to violate this new court made law. The mere fact that you created an opportunity to prevent cut-throat underselling which would cause unemployment and economic demoralization of your industry would make you guilty.

Thus this anti-trust campaigning is no longer a simple movement of the government to get after big concerns combining to charge high prices. It is not now a consumer protective only. It has become a punitive and economic club of ever-growing government authority to be wielded by political appointees in an ever widening swath. It puts business under political thumbs. It can be used against low prices as well as high, and now under this new decision might be wielded against no prices at all, in a case of implied conspiracy.

PARADOX
 The decision held that oil concerns cannot group even to stop "hot oil," but a mile away from the court which handed down the decision, the government itself was grouping bituminous coal dealers of a competitive industry for precisely the same purpose. What is good and right and noble for coal, under government direction, is dastardly and criminal for fuel oil, under private initiative. It means simply that if you want to violate the anti-trust laws you must get a dispensation from the government.

While the ultimate scope of the new Bible is beyond current vision, right straight up in front of your eye as big as a house is the fact that the government was thereby granted power, power, and more power.

REFORM IN COURT
 The decision also revealed the extent to which the new deal has taken control of the court. This is now the only branch of the government in which the reform group has full sway, a con-

ALLEY OOP

BY V. T. HAMLIN



Telling The Editor

FUNCTIONS OF A JUDGE

KLAMATH FALLS, Ore., (To the Editor)—I have been following with interest the letters in this column concerning the candidacy of Judge Ashurst. There seems to be some misunderstanding about the office for which he is running. According to the text book we used in high school, "Our Government" by Garner and Capen, "The legislative branch makes the laws, executive officers enforce them, and the courts interpret their meaning and apply them to particular cases when controversies arise among individuals."

A judge can neither make the laws nor enforce them, but must determine to the best of his ability, from the evidence presented, the truth of any situation brought before his court and apply whatever rules have been laid down by the law making body. It is the duty of the judge to determine the degree of wrong doing (that is, whether the act is deliberate or the result of circumstances, whether the wrong doer is an experienced law violator or a novice) and then to determine the just punishment within the limits laid down by the legislature. Therefore I do not understand how, according to Mr. Shaddock, "All of the work of making this a decent place to live in has fallen to Judge Ashurst." If Judge Ashurst is not only acting as judge, but also making and enforcing the laws he is a dictator and we don't want him.

Sincerely,
 MRS. J. R. SHERRICK,
 Route 2, Box 1098.

DISCUSSES CAMPAIGN

KLAMATH FALLS, Ore., (To the Editor)—The controversy that has been raging in your paper is a concrete example of the results of the type of campaign Judge Ashurst has been conducting.

It has aroused class prejudice and private animosity that will remain long after the election is over.

What a shame that the office of circuit judge, which should be one of dignity, is held by one who stirs up turmoil and hatred. I imagine the judge is looking on with amusement at the free advertising he is getting, thinking what fools people are. We are ashamed that Klamath Falls

people permit such a situation to arise.

My hat is off to each and all the other candidates for their quiet dignified manner of campaigning.

We hope the voters decide they want a judge rather than a "city manager."

MRS. W. B. WHITCOMB,
 Box 128

Given Full Reim In War Policies

MOSCOW, May 10 (UP)—Russia today gave her military commanders "full power and responsibility" because of international menaces and called upon the red army to forget all "ossified dogma" connected with previous split authority between political and military officers.

"War does not tolerate dilution... the great Stalin urges us to face reality and not lock ourselves in shells of ossified dogma," said the official organ of the army, Red Star.

The new decree making commanders "entirely responsible" for future soviet military operations creates a new officer ranking and gives these commanders unquestionable authority.

"The entire mighty organization of the modern army must unqualifiedly be subordinated to the will of plenipotentiary commander and execute all his orders," said the Red Star.

The new decree followed closely the appointment of Marshal Klementi E. Voroshilov as chairman of defense in the council of peoples' commissars and his replacement as commissar of war by Marshal Semyon Timoshenko who led the military campaigns in Poland and Finland.

RULING

SALEM, May 10 (AP)—If an old age pension recipient gives his property to a person not responsible for the pensioner's care, the state may require the receiver of the property to reimburse the state for all pensions paid before the property was transferred, the attorney general ruled today. Such a transfer of property is not illegal, he held.

Scientists report violent submarine earthquakes eroding the floor of the Atlantic ocean. These eruptions are small stuff compared to what's going on on the surface these days.

Gems of Thought

Education has for its object the formation of character.
 —Herbert Spencer.

Instruction increases inborn worth, and right discipline strengthens the heart.
 —Horace.

Enlighten the people generally and tyranny and oppressions of both mind and body will vanish like evil spirits at the dawn of day.
 —Thomas Jefferson.

Real knowledge, in its progress, is the forerunner of liberality and enlightened toleration.
 —Lord Brougham.

Mere knowledge is comparatively worthless unless digested into practical wisdom and common sense as applied to the affairs of the day.
 —Tryon Edwards.

Secretary Sails On Last Lap Of Marriage Dash

VANCOUVER, B. C., May 10 (UP)—Dorothy Lacy of San Francisco sailed for Yokohama yesterday on the last lap of her celebrated 6000-mile race with cupid.

The 26-year-old private secretary will marry Klaas van der Weg, 32, of the Royal Dutch Shell company, whom she met last Friday in San Francisco. They became engaged after a half-hour conversation but Van der Weg sailed Sunday for Japan while Miss Lacy remained behind because of passport troubles.

REX

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 "OVERLAND EXPRESS" "GANG BULLETS"

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 COMPLETELY NEW PROGRAM
 "SPECIAL INSPECTOR" "HARD ROCK HARRIGAN"

ENDS SATURDAY
 The story of Song and the year's most beautiful surprise start!

Balalaika
 NELSON EDDY • MASSEY

PINE TREE

TOMORROW

THE ACE OF THE SADDLE RIDES AGAIN!

TEXAS RENEGADES

RAINBOW

VOX

TODAY

The Three Mesquiteers Ride Again...

COMPANION HIT!
 IT'S A SHOWER OF DOUGH FOR CHARLIE and a Shower of Laughs for You and Your Yaw!

...when that old, forgotten trunk is...

OPENED BY MISTAKE
 CHARLIE RUGGLES

PELICAN

TODAY AND SATURDAY

They're Comin' 'Round That Mountain Again! With Hops, Dips, and Fun That Swirls!

WEAVER BROS. & ELVIR

In Old Missouri
 LORRYA WEAVER THURSTON HALL

ALSO
 The Duke of Nothin'... Screen Their Defenses!

WILLIAM HAS WINGS
 MERLE OBERON
 "The Duke of Nothin'"

LATEST NEWS