

Orfield writes first book in America on criminal appeal

Judicial Councils to publish law prof's work

The first American book on criminal appeal, written by a member of the University of Nebraska law faculty, is to be published this year by the National Conference of Judicial Councils. Prof. Lester B. Orfield has written the book, entitled "Criminal Appeal in the United States." It will be one of the first of a series of texts on current legal problems to be published by the national conference, which is an organization for the study of judicial procedure.

Pound writes introduction.

Dean Roscoe Pound of the Harvard Law school, formerly professor of law at Nebraska, will write the introduction to Orfield's book. Professor Orfield said that the idea of a book on criminal appeal was suggested to him by Arthur

T. Vanderbilt of the American Bar association. For several years Professor Orfield has been interested in this field of jurisprudence. He began writing on the subject in 1933 as a Brandeis research fellow at Harvard Law school.

His book will cover all phases of criminal appeal in the United States. Chapters will deal with the purpose and function of criminal appeal. Delay and bail on appeal, federal and petty appeals, the elimination of technicalities on appeal, and the history and organization of criminal appeal in England.

32 states have councils.

Approximately 32 states now have judicial councils. The Nebraska Bar association at its last meeting decided to seek the establishment of a council for this state by applying to the Nebraska supreme court. A special committee has been appointed to make the application.

Kirsch closes series Sunday

Exhibit of natural color plates reviews season

The Sunday afternoon series of gallery lectures arranged by the Nebraska Art association will close April 2 at 3 o'clock when Dwight Kirsch will show natural color plates reviewing some activities of the association in the basement of Morrill hall.

Mr. Kirsch will summarize accomplishments of the group and outline some of its major objectives, including the erection of an art museum in Lincoln. With the showing of some of the colored pictures, Mr. Kirsch will feature the purchases of the last few years and many of the living pictures of the last two years.

Mr. Kirsch stated that the permanent collection of the association has become an important part of its function. With the regular additions to these pictures attention has been attracted from the larger art centers and have aided in procuring superior canvases and sculptures for the midwest showing.

Methodist council outlines program

The Methodist student council met last night at the Wesley Foundation to outline the program for the remainder of the semester. A committee was appointed to nominate next year's officers and plans for the spring retreat were made.

Richards--

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quitania had sailed, I decided to make a lecture tour of the country. I suppose it was my English accent and a knowledge of European current affairs which won people over."

Personable and glib of tongue, the ship's cook generally asked \$10 for a lecture. United Press says that in each case, "he charmed his listeners." And when he spoke before classes here at the university, students became so interested and enthused by his speech that they called him back for more.

Lectured to Jaycees.

When I met him, he had just finished lecturing before the junior chamber of commerce on his "interpretations" of international politics and conflicts.

In his room at the Y. M. C. A. (where he was living on credit), Richards stretched out on the bed in his one and only suit and told lengthy tales of war and political experiences in all of Europe. He even told a couple of "tall" ones about his experiences in China. Thinking that I was getting the "dope," I listened. Now, I guess I'm the dope.

But I wasn't the only one. Presidents of Lincoln's best organizations, radio program directors and even university professors believed in him. Evidently he was getting a kick out of it for the 33 year old Englishman was described by United Press as sitting in his cell in Colorado's resort town laughing at the gullibility of society dowagers, politicians, and beautiful young women among whom he posed for six months as a noted foreign correspondent.

Should have known.

I should have known. While talking with him that day, he showed me extensive notes which were supposedly taken on the field of battle in Spain. They were written on pieces of cardboard on the other side of which appeared advertisements of a Kansas City book store. That was odd.

Then too, there was the absence of even a meager wardrobe. He was facing Nebraska's December and January weather without an overcoat or topcoat! When first questioned about his lack of clothing, he claimed that his baggage was delayed. Later he said that he had lost them in a "crap" game in Kansas City. Finally, he admitted that he had never had them.

Journal checked.

Then the Journal checked with the London Daily Express to find that he had never been affiliated with them. He made several appearances after that adverse publicity and then left for Denver. A number of his newly acquired Lincoln friends were indignant over the Journal's accusing Richards as being a "fake." Now, I suppose like the rest of us, they will say, "Well, I knew it all of the time." Well, I and plenty of others believed him. How were we to know?

Behind world events

MADRID CRIES 'UP SPAIN'

After nearly 900 days of the most intense fighting, the Spanish civil war has been brought to a virtual end. Gen. Miaja, head of the defense council regime established by the Casado coup, has fled Madrid to seek temporary haven in Valencia, and the city abandoned to the insurgent troops of Gen. Franco.

Upon the demand of Mussolini, who has fed money and men into the conflict which has established a new totalitarian state, Italian "black-shirt" legions were at the van of the rebel march into beleaguered Madrid.

Cries of "Up Spain," the rebel war slogan, greeted the troops of Franco as the Madrid populace stormed about them expressing relief that the long siege of that city was concluded. Demands for food were met with the announcement that rebel food trucks were on the way and that each person in Madrid would receive half a loaf of bread daily and free.

Rebel troops are now engaged in "mopping up." Only a small portion of the seaboard regions remain in loyalist hands, and Miaja has requested that soldiers in those areas lay down their arms to prevent further and needless bloodshed. Gen. Franco's little "black book" containing names of staunch loyalist supporters and communists is in almost constant usage as those enemies of the new government are "liquidated."

It is reported that within the very near future Franco will meet with fellow totalitarians, Mussolini and Goering, to determine the foreign policy of the new Spanish government.

RECIPROCAL TAX IMMUNITY DESTROYED

In a decision hailed as "one of the most momentous in years" the Supreme Court has ruled that the federal government can tax the incomes of state employees and the state may tax the incomes of employees of federal agencies. The holding was delivered in cases involving the attempts of Utah and New York to tax the income of federal employees under state income tax laws.

Justice Stone, who delivered the majority opinion from which only Justices Butler and McReynolds dissented, said "there is no basis for the assumption that any such tangible or certain economic burden is imposed on the government concerned as would justify a court's declaring that the taxpayer is clothed with the implied constitutional tax immunity of the government by which he is employed."

With such decision, the court has overruled a precedent dating from the Collector vs. Day case in 1871 involving a tax on the salary of a probate judge in Massachusetts. Justices Butler and McReynolds in their dissenting opinion relied upon the old adage that "the power to tax involves the power to destroy" first enunciated by John Marshall. Chief Justice Hughes, who has been ill, concurred in the New York case but did not participate in the Utah decision.

Under this ruling the salaries of state officials such as college instructors, legislators, judges, and the like, will be subjected to federal income tax laws, and the incomes of federal employees will be proper subjects for the exercise of the state taxing power.

Nebraska, if it is not to be considered foolhardy, must sully its "white spot" policy. Financial losses suffered by state wage-earners might be in part recovered, in the form of additional state revenues, by the passage of a general income tax law which would affect federal employees as well as ordinary state citizens. Pressure will be exerted upon the unicameral to adopt such a taxing program, and Nebraska's claim to fame because of its lack of a state income tax will be destroyed.

The United States Supreme Court, for years a conservative body respecting certain tax immunities, has turned liberal. Past precedent followed for many years is now discounted as being originally erroneous. It may even be possible for the federal government to make this decision on the income tax laws retroactive and so collect huge sums from present and past state employees. The exigencies of financial stress and strain, felt both by state and federal governments, may have here influenced the members of the court. It is even conceivable that the Supreme Court may be said to render its decisions in deference to what it thinks to be public opinion rather than to follow legal precedent. The Roosevelt court-packing bill, while failing of passage, seemingly has achieved its desired result—the court is now liberally inclined.

Ag faculty members state support of intercampus bus

Whelan says lack of transportation cuts down participation in activities; Staples pledges aid

Results of a number of surveys issued to all faculty members affected by the proposed intercampus bus line, show a strong faculty opinion in favor of the change. Various comments made by the ag campus instructors outline the grievances that the faculty, now has with the present setup.

Stating that he was in favor of the campus, Don B. Whelan, of the entomology department commented, "Lack of transportation for students has cut down the number of classes that a student can get down town. It has also meant that ag campus students have not been able to participate in many university activities."

"It is a shame to charge ag college students a Union fee equivalent to that charged those living down town."

Students 'made' to break laws.

"If something like this is not done," the entomologist stressed, "additional instructors must be hired for the ag college to duplicate work given on the city campus. Tho a city ordinance prohibits hitchhiking, students have to do this in order to take work on the two campuses. Lack of proper facilities means that we are making students break the laws of the city of Lincoln."

Adding to the statement made

by Mr. Whelan, Ruth Staples, professor of home economics, declared that attendance at the University of Minnesota where a similar plan is now in operation, has shown her the saving in time and money such a plan makes possible. With the promise that she would aid in every possible way in making the change at Nebraska, Dr. Staples added, "I believe all students should be furnished passes for intercampus rides."

Daily
Nebraskan

Entered as second-class matter at the postoffice at Lincoln, Nebraska, under act of congress, March 3, 1879, and at special rate of postage provided for in section 1108, act of October 3, 1917, authorized January 30, 1922.

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Student Pulse

LIQUOR AND THE AMERICAN COLLEGE MAN.

To the Editor:

America is today what its young people make it. For more important is the fact that the America of tomorrow will be what its young people of today decide now that it will be. The young men and women of school age can be educated to use the new responsibility of youth more wisely.

In approaching the liquor problem we must take human nature into account. There must be no easing up of the educational process nor failure to stress the necessity of obedience to law. It is impossible to capitalize society so strongly that its accumulated moral strength will not subside and ultimately end in bankruptcy unless it is renewed in each new generation. Hence each generation is confronted with the task of saving society.

What motive animates the youth who tucks a whisky bottle in his pocket and proceeds to his school dance? Show-off instinct, manifested by youth and adult alike, is an effort to overcome inferiority complexes by showing contempt for restraint, manifesting independence of the law.

There is among young people a strange inclination to think that dissipation is manly. This instinct is rooted in the fact that the child is prevented by authority from indulging in harmful things. When, therefore, he reaches an age when he can indulge without fear of authority he wishes to indicate the fact to the world as evidence of approaching manhood. The same inferiority complex again!

The truth is that manhood is evidenced by self-control, not by resistance to outside control. The manliest young men do not drink.

The college man must be brought to realize that there is more in this problem of drink than the simple effects on the user, or his freedom to accept or reject those effects for himself. Since they so largely fall on society, liberty of choice in this respect much more than in other choices of everyday life, calls for thought about the welfare of others.

Young accountants, machinists, salesmen and technicians must realize that clear eyes, steady nerves and sober brains are indispensable to the performing of the jobs that American college men will have.

Lloyd Jeffrey.

Culture--

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advocacy in some institutions for different types of graduate work for different pursuits.

Teaching requirements change.

He pointed out that 20 years ago the primary and almost sole point of consideration in selection of a member of the faculty was the capacity and promise of the prospective appointee as a producer of research publications. The result of this competition was that as quantity of research publications increased, the curve of quality dropped. A decade later it came to be demanded that in addition a prospective faculty member should be a good teacher.

There now seems evidence, said Chancellor Boucher, that during the next decade he must also have a training, an experience, and a philosophy and a mode of life which will make him a cultural force in the life and work of the college.

Hansen to discuss all-creed church

Tells of Choir's ideal at last Sunday vespers

The ideal of the Lincoln Cathedral choir, the Lincoln Cathedral, will be discussed by Kermit Hansen, Omaha senior and member of Beta Theta Pi fraternity, at the last vespers of the year Sunday at 5:30 p. m. in the Cornhusker ballroom.

Envisioned by the choir since its founding as a place of worship for all creeds, the Lincoln Cathedral to-be is still the hope and dream of the organization. Throughout the year attendants at the choir vespers have heard various world-famous cathedrals discussed, but the nature of Sunday's vespers will be prophetic. The choir will sing a number of special selections from its repertoire. Houghton Furr will again preside at the organ.

Intensive rehearsals for the New York World's Fair trip will begin next week, according to Director John M. Rosborough. Eastern magazines, he said, have already begun to publicize the choir's appearances in New York.

Dairy--

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behind Pfeiffer; third was Elton Newman, York; fourth, Melvin Glantz of Kearney; fifth, Leo Tupper of Riverton; sixth, Paul Fidler of Melrose, Mont.; seventh, Lawrence Buller of Utica; eighth, Edward Zahm of Spalding; ninth, George Diedrichson of Scribner, and tenth, Keith Gilmore of Callaway.

First place winners in judging individual breeds were as follows: Ayrshire, Pfeiffer and Donald Baird of Wayne, tied; Guernsey, Zahm; Holstein, Diedrichson.

Two dairy divisions.

The dairy products division was divided into two divisions—a senior division for students with previous training or experience and a junior division for others. With only three entries in the senior division, Zook took first place in milk and ice cream and second in butter, outscoring all juniors. Eldridge Bever of Virginia was first in butter in the senior division.

In the junior division, firsts were won by: Irl Carper of Syracuse in butter; Charles Gardner of Tecumseh, in ice cream, and Weston Pielstick of Cumra, in butter.

Gold, silver and bronze medals and ribbons were awarded in each contest. Several Nebraska dairies and creameries also donated special prizes.

Gordon chairman.

Students in charge of the dairy cattle judging contest were Clare Gordon of Ragan, chairman; Russell Pfeiffer of Elkhorn; Tom King of Albion, and Ray Cruise of Gurdley. Prof. R. F. Morgan assisted as referee.

The following students conducted the dairy products contest: Winifred Jacobsen of Tecumseh, chairman; Alvin Rippen of Bladen; Harry Kivett of Imperial, and David McGill of Waverly.

Epworth leagues to hold party Friday evening

Grace and St. Paul Methodist Epworth Leagues and the St. Paul University Sunday school class are combining to hold a party this Friday at St. Paul church. Ellis Dann is directing arrangements. The party will begin at 6:15 and the admission will be 15 cents a person.