

# Washington Digest

## Complete Trial Needed To Legally Outlaw War

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As the Nuernberg trials draw to a close, I continue to hear two questions repeated ad infinitum in the market places and bazaars, in the coffee houses and the parlors (not to mention the lecture halls).



One is: Why on earth are they dragging out these trials; aren't they ever going to end?

The other is: Do you think any of these fellows (the prisoners) are going to get off? The intelligence of the questioners and the number of times I hear the questions assures me that the main purposes of the trial are still widely misunderstood.

Associate Justice Jackson knows as well as anyone else that news from Nuernberg has long since departed inconspicuously from the front page. He knows, from reading the American newspapers which reach him not too belatedly, thanks to the ALS (the army's special courier service), that his role in the Nuernberg case will never bring him a succes de scandale. He knows his presence is needed in Washington on the Supreme court bench.

In any case, he knows that he is adding to his fellow justices' burdens, if not their annoyance by remaining away from the job. Certainly he realizes that time is not increasing the prestige which he undoubtedly achieved when he engineered the trials and made his ringing opening address. He has nothing to gain personally by remaining longer in that dreary, pulverized Bavarian city.

"Why, then, does he tarry?"

### Fall Documentation Is Required

By answering that question, one can answer the other two I mentioned at the beginning of these lines.

One: Why is this thing being dragged out forever. . . ?

Answer: Because this trial is not merely a trial of a handful of international criminals. These evil villains are only a small part of the drama, even if it is they, and not what is behind their castigation, which sometimes still produces headlines. The trial is a great process of legal documentation.

It is the recording of history, for the first time in history, of history written in blood, and ink hardly yet dry. It must be a complete record; the record of a crime which, until it is so recorded, may never be admitted as a crime in the eyes of international statesmen and lawyers.

The Allied military tribunal (operation justice, as it was known in the army) was planned, and is being conducted to its long and apparently infinite end for the purpose of blueprinting a legal precedent for holding as punishable criminals, the heads of states who plot and carry out aggressive warfare.

That is the answer to question one.

Question two: Are they ever going to convict these fellows? I answered that in part when I said that the proceedings were far more than the trials of the defendants who sit daily in the prisoners' dock of the court house at Nuernberg, or in their lonely cells near by.

And for those who fear that justice will be cheated, let me say that most of those men, if it cannot be established that they took official part in the planning and execution of an aggressive war, are probably wanted on other charges in local courts. If they go free from Nuernberg, the local courts will try them, as the "Beast of Belsen" and others were tried and convicted for their separate and private crimes.

It is possible, for instance, that the sadistic, degenerate Streicher, Jew-baiting wielder of a jewelled whip that was a symbol of his psychosis as well as an instrument of his perverse desire, will not be convicted by the IMT. He is so low that his fellow prisoners won't speak to him; so crooked that even when he was a Gauleiter, he couldn't be trusted to sign a single order of national or international significance. He finally stole so much from the Nazi party itself that he was incarcerated.

The Nuernberg trials will continue until the record is completed. Justice will not be cheated. And it is to be hoped that aggressive war, on the basis of the proceedings of this court, will become illegal. How can the United Nations hope to outlaw war unless they establish with sword, scales and woolsock that war is illegal?

There is one war which will have my whole-hearted support though I hope it can be fought with brains and without bloodshed. Such a conflict was referred to recently as a possibility by a writer in the New Republic. Perhaps it will be, he says, "as inevitable as was the Civil war within the United States." It would be in the nature of a civil war within the United Nations to establish the sovereignty of the United Nations and preserve its unity, just as it was necessary to establish the sovereignty of the federal government of the United States and preserve the union.

No other war is worth fighting because any other would merely be the continuation of all the sanguinary struggles, unwanted by the people, for the power and the glory of single nations. . . .

Washington Has Small Town Air

Out of the doors of the still-unfinished cathedral which crowns Washington's highest hill, through the court in a gentle rain that set the yews to weeping and the young leaves of the privet shining in aqueous green, the solemn procession moved. The President and his entourage, the members of the Supreme court, the cabinet, the congress, and the others slipped away as the family of Chief Justice Harlan Stone bore him gently to his last resting place in beautiful Rock Creek cemetery.

Another great American had chosen the nation's capital where he served for two decades, as his long, last home.

And I could not help thinking of something I have said before in these columns — Pennsylvania avenue, from the capitol grounds to the Potomac, and past the White House, is only an extension of a thousand Main streets, which run through the "plaza," the "court house square," or the "commons," on past the First National bank and the opera house, the department store, and the ice cream parlor, to the free fields and woods beyond.

So much a part of America is America's capital city, and so much a part of Washington are all the towns and cities clustered about their rivers, their main streets, their city halls, and post offices, that when one long serves the nation here, it becomes his second home; often first in choice for his declining years and his last resting place.

I am sure that former President and Chief Justice William Howard Taft loved his native Ohio no less than the federal city; here the bridge upon which he could be seen taking his daily walk now bears his name; he lies in Arlington with our other soldier dead.

I know that retired Justice Hughes lacks no love or loyalty for the Empire state. Oliver Wendell Holmes, deeply rooted in New England as he was, lived here, and when he died, bequeathed his home to the nation. These are but three of many who chose to live here when their duties no longer made it necessary.

There is something about Washington, a city virtually without industries, or the other institutions which make a metropolis, that bears the mark of small-town America. Washington is the only capital of a great nation which is not that nation's metropolis.

There is also something else about this big-little town which, for thousands of us who follow our humble ways here, make it home. My own prairies are as dear to me as ever, and I never cease to thrill when I move across the border and over the fat black soil of Illinois; I have warm memories of the mists that blow in from the Pacific too; the hills and the lake-lands of western New York; New England's green-crested mountains and rocky coast where I have been more than a transient guest.

But I can well understand how those who have moved along the quiet avenues of this city, whose vistas run far back into the beginnings of American history, choose this city beside the broad Potomac as their final home.



COMPLICATIONS FOR BIG FOUR . . . While the Big Four conference in Paris faces many difficult problems involving treaties and claims and boundaries, the Turkish situation presents future complications. In the dark areas shown are the three buffer states of the Near East and Middle East. Here the strategic and economic interests of Russia and the western powers meet. Control of the Dardanelles is a vital issue and Russia has sought to press claims on Turkey's eastern frontiers. Arrows on the map show how use of the straits cuts 3,000 miles from the supply line to Russia. At the opening sessions the Big Four sidestepped the troublesome Trieste and Italian colonial questions and began the consideration of the Italian-French frontier, the size of Italy's future armed strength and disposal of her surplus shipping. France's proposal to add internationalization of the Ruhr and detachment of the Rhineland from Germany to the agenda, added further complications. British Foreign Secretary Ernest Bevin caused another upset by insisting that Belgian, Dutch and Luxembourg representatives be permitted to sit in on such negotiations as spokesmen for nations which suffered heavily through German aggression.



TO INVESTIGATE FRANCO'S GOVERNMENT . . . Committee of the U. N. security council which will investigate the charges that Generalissimo Franco's government in Spain is a menace to world peace and security. Left to right: Oscar Lange, Poland; Henri Bonnet, France; Pedro Velloso, Brazil; Paul Hasluck, Australia, and Hsushi Shu, China.



YOUNGSTERS STUDY AT FBI ACADEMY . . . Kenny Rose, Dick Little and Hugh McMahon, cub scouts of Falls Church, Va., look over a small section of the huge "model city" which is part of the equipment used by the FBI national academy in teaching traffic problems to special FBI and local police from all over the nation who come to learn modern police science. Thousands of youngsters visit the FBI monthly.



TEA TIME FOR TRILBY . . . Trilby, leader of the elephant herd of the Ringling Brothers and Barnum and Bailey circus, shows his latest tea cup.



MOST VALUABLE . . . Baseball's most valuable players, Phil Cavaretta, Chicago Cubs, left, was chosen as the National league's most valuable player in 1945, and Hal Newhouser, Detroit, won the award for the most valuable player in American league. Both men show promise of being leading contenders for the high honor this season.



GREEN FOR OPA . . . William Green, president of the AFL, told the senate banking committee that those who opposed extension of the OPA were a "death lobby." He demanded it be continued intact.



SENATORS URGE RULE CHANGE WASHINGTON.—Ten senators—Democrats and Republicans—got together secretly the other day to study that most sacred of all sacred cows—senate rules. Behind their meeting was the conviction that die-hard Dixie Democrats can block any measure they oppose via the filibuster, and that the majority must rule if democracy is to function in the U. S. A.

The secret meeting took place after senators received a flood of letters both for and against the attempt by Wayne Morse, Oregon Republican, to secure passage of the anti-poll tax bill through unanimous consent of the senate. Only senators on the floor at the time Morse attempted this strategy were Morse himself and Republican William Langer of North Dakota.

Liberal Democrat Warren Magnuson of Seattle, Wash., was presiding. Had he immediately asked senators if there was objection, there would have been none and the anti-poll tax bill would have passed. Morse had identified the bill only by number, so Magnuson did not at once recognize it. But, even if he had, probably he would have hesitated to pass a controversial bill without debate.

He was rescued from this dilemma by Senator Ernest MacFarland, Arizona Democrat, who quickly came to the floor and objected.

Since then, senate mail has been strong with letters both objecting to the Morse attempt as trickery and supporting Morse on the ground that this strategy was no more unfair than the filibuster.

Regardless of the above merits, a bipartisan group of ten senators has determined that senate rules must be changed. They seek to limit debate on any single bill to ten days, which would bring up the anti-poll tax bill, already passed by the house, before the senate recesses. They are thinking also of bringing up legislation to create a permanent FEPC—provided they succeed in winning their amendment to the senate rules.

The ten senators are: Democrats—Pepper (Fla.) Magnuson (Wash.), Guffey (Pa.), Glen Taylor (Idaho), Huffman (Ohio), Kilgore (W. Va.), and Mead (N. Y.); Republicans—Ferguson (Mich.), Knowland (Cal.) and Capper (Kan.).

### FINAL PEARL HARBOR REPORT

Believe it or not, but the long-delayed reports on the Pearl Harbor investigation at last are being whipped into shape. They will not be published until around June, but here is the inside story on how the final verdict is shaping up.

The Democratic majority on the committee, led by Senator Alben Barkley of Kentucky, will absolve the two top military leaders in Washington—Gen. George Marshall and Chief of Naval Operations Adm. Harold R. Stark—of major responsibility. They will receive some minor rebukes, especially for poor co-ordination of army and navy intelligence; but nothing serious.

Democratic members of the committee also will absolve the state department of any blame and will let major blame rest where the original Roberts report contended it belonged—on the shoulders of army and navy commanders in the Hawaiian area—General Short and Admiral Kimmel.

Republican members of the committee will file a sharply worded minority report upholding Short and Kimmel and charging (1) that Short and Kimmel weren't sufficiently advised by Washington about intercepted Jap messages presaging the Pearl Harbor attack; and (2) that the two officers weren't provided with enough long-range patrol planes to spot the Jap fleet.

### PATTON'S DIARY

The war's stormiest hero, Gen. George S. Patton, was the center of many a controversy before he died. But today the war department is still sitting on one of the hottest of Patton's hot potatoes—the general's secret diary.

Only a few people in the war department and the Patton family know it, but the famous general kept a careful diary all during the Normandy campaign, jotting down his frank comments about the Allies and even about his superior officers. Some of the comments just about burned up the page.

General Patton especially paid his compliments to the famous British field marshal, Montgomery, whom he criticized with almost the same bluntness as the soldier in the Sicilian hospital whom he slapped.

### CHIPS FROM A GRANITE LIFE

Most people have forgotten, but it was Harlan Stone to whom the nation owes a debt for picking J. Edgar Hoover as head of the FBI. When Stone became attorney general, he swept out Burns and selected a young career man, Hoover, to take his place. No one had ever heard of Hoover before. . . . Stone was kicked upstairs from the justice department to the Supreme court by Coolidge when Stone dared move against Andrew Mellon's aluminum trust.

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When Your Back Hurts - And Your Strength and Energy Is Below Par It may be caused by disorder of kidney function that permits poisonous waste to accumulate. For truly many people feel tired, weak and miserable when the kidneys fail to remove excess acids and other waste matter from the blood.

When Your Back Hurts - And Your Strength and Energy Is Below Par It may be caused by disorder of kidney function that permits poisonous waste to accumulate. For truly many people feel tired, weak and miserable when the kidneys fail to remove excess acids and other waste matter from the blood. You may suffer nagging backache, rheumatic pains, headaches, dizziness, getting up nights, leg pains, swelling, sometimes frequent and scanty urination with smarting and burning is another sign that something is wrong with the kidneys or bladder. There should be no doubt that prompt treatment is wiser than neglect. Use Doan's Pills. It is better to rely on a medicine that has won countrywide approval than on something less favorably known. Doan's has been tried and tested many years. Are at all drug stores. Get Doan's today. DOAN'S PILLS

## BARBS . . . by Baukhage

The prophets of business say we're in for a boom, everything's all right. It's always a nice trip up. . . .

Maybe the inflation can be checked enough so that it doesn't blow the balloon of prosperity apart before a gentler landing can be arranged. . . .

What effect will the CIO-AFL battle to organize the south have on the consumer? Will they grow to the point where the innocent by-stander starts to attract the flying brickbats, as usual?

An almost human canine on a leash is better than an almost porcine human on the loose. There are plenty of both around.