

EXAM SCHEDULE
IN CAMPUS
FRIDAY

The Campus

THE COLLEGE OF THE CITY OF NEW YORK

Official Undergraduate Newspaper of The City College

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PRICE TWO CENTS

GROUPS PROPOSE VITAL REVISION OF S. C. CHARTER

Recommendation by Committee Asks Preferential Voting System

COMMITTEES REVISED

Abolishment of Lower Freshman Representative, New Group Delegates Requested

Important changes in the charter of the Student Council, including a system of preferential voting and the abolition of a lower freshman delegate to the council were proposed yesterday at a joint meeting of student and faculty committees. The committees present were the Subcommittee of the Faculty Considering Revision of the Student Council Charter, consisting of Professors Baber, Dawson, Hanson and Hubert, and Dean Gottschall; and a subcommittee of the Student Council whose members were Irving Novick '35, Murray Bergtraum '35 and Seymour Moses '36. All the suggestions will be referred to the Faculty Subcommittee on Student Affairs.

Revision of Elections

The suggestion concerning elections elicited a great deal of discussion from the group. It is:

"The officers of the Student Council, shall be the President the Vice President and Secretary, who shall be respectively members of the Upper Senior, Lower Senior and Junior classes, in accordance with the official registration at the time of taking office. No person may hold office in the council and at the same time be president of the junior or senior class, editor-in-chief of a general College paper, or of the Athletic Association. The officers of the Student Council shall be elected at the beginning of each term by preferential vote of all students in good standing at the Main Center of the Day Session, excepting members of the lower freshman class."

Preferential vote is defined as "in voting, students shall indicate the order of their preference among the candidates for a certain office; ... candidate thus has a majority of the votes cast for first choice, the ballots cast for the candidate having the smallest number of first choices shall be distributed among the remaining candidates in accordance with the second choice, and if a candidate thus has a majority of the votes, he shall be declared elected."

Other important suggestions include the abolition of lower freshman representatives to the council; limiting of organization representatives to four, a representative of the Athletic Association, a representative of all publication groups, a representative of the four professional engineering chapters in the School of Technology; and a representative of groups primarily social in function and the I. C. C. combined.

Another suggestion would empower the council "to support activities, other than athletics and periodicals, under its own auspices where the field of endeavor is not preempted by an authorized group."

Professor William Guthrie Presents Legal Aspects Of Supreme Court's Military Training Decision

Says Decision Agrees With Trend of Best Legal Practice

(Some time ago, after the Supreme Court had handed down its decision in the Hamilton-Reynolds case, The Campus asked Professor Guthrie to prepare an article presenting the legal aspects of the case and the general status in law of the conscientious objector. The article printed below is Professor Guthrie's discussion of the case and its significance.—Ed. Note).

By Professor William B. Guthrie

In response to your request for a statement on the California university ruling on compulsory military education, may I merely submit the primary facts with the utmost brevity. As President Wilson said of the

World War, "its roots run deep into the soil of history," so much could be said and written also about this case, and no doubt will be, when the purposeful controversialist gets busy; for I opine that at the hands of the rather garrulous rhapsodes of that wordy species, few subjects escape mistreatment. Briefly then the case (yet not located in the published Reports) decided in both a unanimous decision and opinion, sustained the Trustees of California state university in refusing admission to two students because of conscientious objections and refusal to conform.

As only legal concerns are involved analysis is rather simple. These involve the paramountcy of public interests over private acts and opinion in so far as these have not been specially protected by the Federal constitution. The court says: "The privi-

leges of the native-born conscientious objector to avoid bearing arms comes not from the Constitution but from The Acts of Congress. That body may grant or withhold the exemption as in its wisdom it sees fit; and if it be withheld the native-born conscientious objector cannot successfully assert the privilege."

"The court bases this conclusion on the age-old ruling that 'The government has power in the last extremity to compel the armed service of any citizen in the land without regard to his objection or his views in respect of the justice or morality of the particular war or war in general.'"

Justice Butler continues "That the (Continued on Page 3)

Assail Lavender Cadet

National Student League Charges Cadet Club Organ Is "Tool of Vicious Outside Interests," Declares Managing Board Has No Connection With Club

Declaring that the "Lavender Cadet", organ of the Cadet Club, is the "tool of vicious outside interests," the National Student League has issued a handbill demanding that the Student Council investigate the paper.

In its handbill, the N. S. L. editor and one of the contributors are not members of the Cadet Club, and that the "Lavender Cadet" is published in the Military Science office on War Department paper and turned off on a War Department machine by a sergeant in the regular Army."

In connection with this handbill, The Campus has received a letter from a student of Military Science amplifying the charges. The letter signed "A Cadet", reads as follows:

"The jingoistic 'Lavender Cadet' has consistently waged a campaign to protect the students from the propaganda of 'outside subversive' papers. Yet this very same 'Lavender Cadet', ostensibly the organ of the Cadet Club, is itself the tool of vicious outside interests. The 'Lavender Cadet' is the organ of the war-breeding Mili Sci Dept! The Cadet Club does not exercise the slightest vestige of control over it! Not a single member of the editorial board, as listed in the masthead of the latest issue, is an active member of the club. The managing editor, Ed. Samuels, is an ex-president of the club, now a cadet officer and an active member of the Officers' Club. The editor, Leonard Spinrad, does not even take Mili Sci. He never attends meetings of the club whose organ he edits. The contributor, E. Badanes, should be automatically expelled for non-attendance according to the club constitution. At the last meeting of the club the secretary suddenly gave Badanes a leave of absence although there is no record of Badanes ever having applied for it, and Badanes has not attended meetings this

(Continued on Page 4)

German Refugee To Discuss Saar

Miss Maria Halberstadt, a refugee from Nazi Germany, who taught in a high school there before the advent of the Hitler dictatorship, will address the History Society tomorrow on the "Saar Question". The meeting will take place at 12:30 p.m. in room 126. This meeting will be the last one for the semester.

Miss Halberstadt is affiliated with the Anti-Nazi Federation of New York, which is connected with the National Committee to aid victims of German Fascism. Among the members of this committee are Lord Marley, Havelock Ellis, Romain Rolland, Dr. Harry Elmer Barnes, Heywood Brown and Will Durant and other notables.

Final Mercury Issue of Term Makes Appearance; Cover Puzzling, Contents Mediocre, Says Reviewer

By Bernard Freedman

Mercury made its last appearance of the term this morning, with an issue which is on about the same level as the other three numbers this term, some stories good and others mediocre. After examining the cover for a half hour, we asked somebody "in the know" what it represented, and we were told it was a head of President Roosevelt, if you manipulate the cover to a certain angle and then stretch your imagination to the utmost, you may discover his likeness, but we don't guarantee results.

Samuel Locke, one of the associate editors of the Merc, has written the two best articles of the current is-

Band to Present Recital Tomorrow

Performance to Be Repeated in Evening for Alumni and Guests

The thirteenth semi-annual College Band concert will be given tomorrow in the Great Hall under the direction of Dr. Giovanni Conterno, conductor. The concert will consist of two performances, the first to be given at 12 m. for students, and the second for alumni and guests at 8:30 p. m. The Glee Club, under the direction of Professor William Neidlinger of the Music Department, will render several selections.

The College Band was formed in 1917 as a volunteer unit of the College drill corps. The semi-annual concerts were initiated six years ago with the appointment of Captain A. Hopf as conductor. Dr. Conterno, who succeeded Captain Hopf last term, has continued the band's semi-annual functions.

Dr. Conterno is continuing his work in musical education at the College. He has composed several operas and symphonies as well as many vocal and instrumental works. The band of seventy-five pieces is composed of students from the Main and Business Centers.

Sheriff Remains Editor; Moses Is Business Manager

Seymour Sheriff '35 was reelected editor-in-chief of The Campus, for next term, and Seymour Moses '36 was elected Business Manager, at a meeting of The Campus Association held last night at the office of Louis Ogust, president of the Association.

Sheriff is the present editor, having succeeded Mortimer Cohen '34 under whom he served as managing editor. He is a member of Soph Skull and Senior Lock and Key.

Seymour Moses this term filled the position of Acting Business Manager upon the death of the late Harold Friedman.

He is a member of Soph Skull and The Student Council.

STUDENT COUNCIL AWARDS INSIGNIA

Kaplan '35, Friedman '35, Hechtman '35, and Novick '35 Receive Awards

One major and three minor insignia were awarded by the Student Council at its meeting Friday. The sole major insignia was awarded to Albert Kaplan '35, editor of Microcosm and of the Lavender Handbook. The minor insignia were presented to Elliott Hechtman '35, editor of the Student, Harold D. Friedman '35, former business manager of The Campus, who died November 19, 1934, and Irving Novick '35.

Novick, the recipient of a minor award, refused to accept it. He declined to give any reason for his refusal.

In addition to the awarding of insignia, the Council considered the matter of bulletin boards of the College.

Applications for several positions which are now open, were asked for by the Council. Among those which were announced were Junior Adviser for the incoming class; Business manager of the Handbook for next term; chairman of Frosh chapel, for which the applicant must be a lower senior this term; and fourth member of the Discipline Committee. Interviews will be held for this last position at the next meeting of the Council on Friday at 3 p.m. in room 306.

BEAVERS TO MEET WASHINGTON TEAM IN TENTH CONTEST

Beavers Expect Tough Tussle In Game Against George Washington

WILL PLAY AT CAPITAL

Potomac Institution Has Strong Quintet; Was Victorious Over Geneva, 50-38

Heartened by its resounding 32-22 victory over St. John's, the Lavender court machine hits the comeback trail tonight when it meets the George Washington University hoopers on the latter's court in Washington, D.C. The sudden upturn in the St. Nick's basketball fortunes has caused a shift in the odds on the Lavender-Washington clash. When the current Beaver outfit had plumed new depths for a Holman-coached quintet by dropping three straight, and seemed headed for another fall in the encounter with the Redmen, even the most ardent College court follower gave the St. Nick's little chance of topping the Capital outfit.

But Saturday's exhibition, particularly the Beavers' brilliant play in that exciting second half rally, seems to indicate that the Beaver hoopers have struck their stride and are headed for bigger and better things. George Washington, despite its undeniable strength will have its hands full subduing this rejuvenated Lavender quintet.

Colonials Dangerous

That the Potomac troupe is plenty bad medicine and one of the outstanding teams in the country is attested by their record. To date, Washington has won six and lost two. Particularly disheartening news to the St. Nick's is the fact that one of the Catholic school's victims is Geneva, the same team that handed the Beavers a 50-27 setback but which lost to George Washington 50-38. Drake and Ingiana, the class of mid-western court aggregations are the only fives to hold victories over Washington.

The southern quintet first attracted metropolitan attention back in 1932 when it showed its face in New York for the first time, clashing with the Beavers in the Charity Tournament. Tonight will be the first time that the College will play the Senators on their home court and the Southerners are asking for revenge, the St. Nick's having yet to yield in their two-game series.

With two New York boys, Sam Freiluler and Harold Schoenfeld, both formerly of Savage and one Jimmy Howell, a powerful center with a reputation and notable scoring record gracing the lineup, Washington sends into action virtually the same outfit that gave the Lavender a very likely undergo a number of fight last year.

The St. Nick starting lineup may very likely undergo a number of changes. The most effective combination Saturday night seemed to be Meyer Pincus, Sam Winograd, Sol Kopitko and the two Levines, Milt (Continued on Page 3)

Goodman which has an unusual twist to it in the last line. You should read this if nothing else in this Merc. We consider this much better than Goodman's longer poem on the "Atom of the Wuxtyr" in another issue of the issue. Mercuriochromes, occupying four full pages of this Merc, are much more readable and newsy than they have been all term. Oh yes, before we forget, we have a bit of sad news for conscientious followers of Merc. The death of Benny, the ubiquitous sperm, is mourned in an obituary notice stating that he passed away at the age of two years and nine months.

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OUR MILITARY MACHINE

HE rather unusual events of the term have prevented us from devoting as much time and space to military training at the College as we would have liked. Our attention is called to this neglect by the reliable "Lavender Cadet", which administers us that "the battle's over" and to "bury the ghost and find a new road to glory."

The entire special edition of the "Cadet" is very interesting, and in the near future, we shall probably comment on some of its "stimulating" articles. The typical "alien agitator" and "bloody red", and the first of a series of articles on "War Machines through the Ages" are but a few of the gems that dot the pages of the "Lavender Cadet".

At present, however, we are concerned solely with the question of military training. Thus far this term, we have not given any detailed resume of the reasons for our campaign against military training, limiting ourselves to mentioning it only in connection with related events.

The time has come, we think, to discuss at some length the reasons for our opposition to military training in the colleges.

It is well to explode, before we begin, the bogey of "tolerance" that is so often raised, and which is resurrected by the "Lavender Cadet".

"We can not see any tolerance in a movement that seeks to prevent those who want military training from satisfying that desire. Compulsory military training is no more unjustifiable than the compulsion not to take the course."

The answer to the cry of "intolerance" is simply the crux of the entire case against the R.O.T.C.: that the R.O.T.C. has no place in an institution of higher learning. The R.O.T.C. is repugnant to all the ideals of higher education.

If it be intolerance to outlaw a course in murder from an institution of higher learning, then we plead guilty to the charge of "intolerance" in our campaign against a course in "legalized murder" in City College.

Nor can we be sidetracked in our statement of opposition to the R.O.T.C. into a discussion of preparedness and disarmament. We hardly need restate here our opposition to the preparedness doctrine. But the issue of the R.O.T.C. is not one of preparedness v. disarmament, for it has been conclusively shown that the R.O.T.C. is valueless as a unit of physical preparedness — it only succeeds in instilling a militaristic mind-set.

We could, with the aid of quotations, (some even from military men) show the futility of military training as an agent for preparedness, and we could similarly debunk the myth that the R.O.T.C. gives beneficial physical training and that it develops character, personality, and citizenship. Suffice it to say that the R.O.T.C. is not only worthless physically, but it is actually injurious; that its discipline value is nil — the "transfer of training" theory long having been repudiated; that it destroys individual initiative; that it discourages independent thinking; and that it produces an unthinking obedience — a blind and superficial obedience, not a real obedience.

To support these assertions, we have a plethora of quotations from authorities on these subjects. Space forbids reprinting their statements, but we can not refrain from quoting one from Theodore Roosevelt, himself a soldier, and one who could hardly be called a pacifist. We append a letter written to his son advising "against expecting to develop his capacity for leadership by attending a military school."

"You should be so ordered about and arranged for, that you would have less independence of character than you could gain from them. You would have fewer temptations, but you would have less chance to develop the qualities which overcome temptations and show that a man has individual initiative."

We must regard military training realistically. The essential purpose of military training, if it is to be of any military value, is to instruct students in the art of killing their fellow-men.

We repeat that a course in the art of human butchery has no place in an institution of higher learning.

AMERICANISM — MILITARY BRAND

SOMEHOW the Military Science Department and the members of the R.O.T.C. through their various organs of expression — the well-filled departmental bulletin board and the Lavender Cadet — are always blatantly proclaiming their unswerving loyalty to "Americanism" and American institutions and their opposition to Communism, which is classified by them as un-American.

It is interesting, then, to see just what the Americanism of the military officials is. We quote from an article, "On the Student Revolt against Militarism" by Oswald Garrison Villard, published in several magazines early in the year.

"The juxtaposition of the military and the civilian is contradictory and un-American and often leads to direct contradictions in teaching. . . . There is no possibility for reconciling the military ideals and the ideals of a free society of scholars and pupils, certainly not in a democracy."

"The plainest proof of that lies in the following excerpt from the official War Department Manual on 'Citizenship', prepared for the instruction of military officials detailed to colleges. It is this definition of democracy:

Democracy: A government of the masses. Authority derived through mass meeting or any other form of "direct" expression. Attitude towards property is communistic — negating property rights. Attitude towards law is that the will of the majority shall regulate, whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard for consequences. Results in demagogism, license, agitation, discontent, anarchy.

"If this is not treason to American institutions what could be? Is it conceivable that any civilian instructor in any American college would teach such stuff? Certainly at best it shows such a gross misconception of what the American democracy stands for and what it actually achieved that it seems incredible that even the most stupid Secretary of War could permit such a thing to go out with the approval of his department."

It seems ironical that the bitterest denunciations of "un-Americanism" should come from those whose sole conception of Americanism seems to be flag waving.

gargoyles

RIVULETS FROM A GARGOYLE'S TONGUE

Frustration

"Did I ever tell you the one about the Campus man and the beautiful maiden?" the venerable gargoyle queried. We answered in the affirmative. But nothing could deter him, and he cleared his throat to continue.

"Listen, o aged one," we implored, "we've already heard that tale. And, besides, don't Campus men ever meet other than beautiful girls?"

"Sometimes they inadvertently become acquainted with mere pretty girls," Zebediah answered, "but such an occurrence is rare. And this is both a new and a true story, so hearken closely."

"It was early in the morning, about 2 a.m., I'd say. Homeward from the printer's, two fellows took their way. Both were on The Campus (32 for a quarter). One was tall; the other, though, was just a little shorter."

"At 6th, they both got off and waited for the local. And while they stood expectantly, they used their powers vocal. The shorter one, by some quick quip, provoked the other's smiles. A maiden saw and thought, perchance those smiles were for her wiles. She forthwith cheerily returned the smiles, the brazen hussy. But then, at 2 a.m., I think, no girl is ever fussy."

"Just then the train came roaring in, we see the trio enter. The maiden sat, the fellows stood, and all were near the center. The train went rolling onward, inside the three were smirking. And while they showed their molars, the train went onward, jerking. At 103rd, the short one left, the other still was grinning. And so it went, a smile, a smirk, for such is not true sinning."

"An empty seat was right soon left beside the pretty maiden. It was not vacant long, indeed, with the Campus man 'twas laden. The girl then turned her pretty head and smiled at our hero. He returned a passionate glance, the result of which was — zero."

"He smiled, he smirked, he grinned, he worked to make this fair creation. Disgruntled then, he rose, for see, the train approached his station. Glancing backward. . . . one last glance. . . . the maiden too was leaving. He smiled, she smiled, they both then grinned, he was no longer peevish. Side by side the boy and girl stood in the elevator. How he wished that he had nerve enough to try to date her."

"Enough's been said, faint heart, you know, has never won fair maiden. . . ." The gargoyle stops, his tale is done, you hear the echo fadin'.

* * *

Approbation

"I hail with glee," said Zebediah, with a grimace, "the return of 'Woopsie' to the alcoves. It is through pastimes like these that a College man can express his deep inner emotions. When a man says, 'Hell', in a hot game of 'Woopsie' you know it comes from his heart."

* * *

Useless Numbers

472 people wished us a Happy New Year last Wednesday. 472 people told us cock and bull stories of what they did on New Year's Eve. 471 claimed that they were drunk as hell, the other couldn't remember. One fellow said that he had not had a good time; he was still drunk. 39 were out till 7 o'clock, 83 were out until the clock struck six, 147 were out till the musical note indicated that it was five, 136 arrived home at 4 a.m., 65 were in bed at three o'clock in the morning, and two reprobrates were safely home at the unheard of hour of two.

Joshua.

Debating Team Meets N. Y. U. Tomorrow in Faculty Room

The College Debating Team will meet N. Y. U. tomorrow in the Faculty Room at 12:30. The subject of the debate is to be, "Resolved that the Private Manufacture of Arms and Munitions be Forbidden by International Agreement." The College team will take the affirmative. On Friday the debaters will oppose Brooklyn College at 4 o'clock in the Faculty Room.

Correspondence

To the Editor of The Campus:

The adoption of one resolution and the rejection of the other at the Great Hall meeting on Thursday last ought not to go unnoticed. It was extremely significant as it showed, not an unreasonable belligerence, but rather an open avowal and a determination upon the part of students to stand their ground, unshaken in their beliefs.

Those of us who uttered a somewhat loud and firm "Nay" to the second proposition demonstrated a determination not to accept blindly and unquestionably any resolution that may be brought to the fore.

If one would carefully read the defeated "mass-pressure" proposition and then would seriously ponder upon it, one could not help but align oneself with the so-called "minority faction"—which by the way can muster more than sufficient strength to defeat an unjustified proposition placed before the student body—and voice one's "Nay" accordingly.

But let us search for the actual meaning of this proposition. It is a blanket disapproval for all times and under all conditions of "mass-pressure". It does not limit itself in the least. The student is asked to dispense with such popular acclaim while, on the other hand, our own dictator-in-chief is allowed to institute and even finance vigilante committees whose sole persuasive ability tends toward muscular coercion. To take a step such as this, is unwarranted and entirely ridiculous. Shall we plunge blindly into the darkness of the future without the slightest hesitation and trepidation of pitfalls?

My steadfast denial is but one voiced by students with whom I am in accord, that is, as far as the present situation is concerned. We earnestly believe that the punishments meted out to the protesting students should be retracted and the students reinstated.

The use of "mass-pressure" does not follow a hard and fast rule. In order to achieve success in any dispute, one contemplates the use of such methods which are conducive towards those things one seeks. Sometimes these are forensic while at other times the use of "mass-pressure" is advisable.

At present, I believe that a temporary discontinuance of "mass-pressure" tactics would serve our needs. I am sure that had the phraseology of the "mass-pressure" proposition been such as to limit the resolution to the present set of circumstances, it would have acquired a deal more adherents. Since it was not so limited, I am deeply gratified by its being rejected.

As has been already pointed out, the mere refusal to reject the theory of "mass-pressure" ought not to preclude the faculty from "righting an injustice" done to the expelled and suspended students, or, at the very least, reconsidering their cases.

Syd Jacoff '36.

Microcosm to Take Pictures On Terrace Tomorrow Noon

The following pictures will be taken for the Microcosm tomorrow on the Terrace, if weather permits: 12:00, Baskerville Chemical Society; 12:05, Campus Staff; 12:10, Newman Society; 12:15, Douglass Society; 1:00, Band; 1:30, Intra-Mural Board.

Collegiana

A psychological study at Purdue University attributes the causes of student worry to: finance 30 per cent; grades 42 per cent; family affairs 15 per cent; love affairs 9 per cent; and religion 4 per cent.

Ice skating, with its outdoor danger spots, has nothing on Temple University's Mitten Hall dance floor. Portions of the floor became so bumpy because of the dampness during the rainy season that they had to be roped off at a dance there recently. This was a precaution taken to assure dancers that their gliding would be uninterrupted.

Both Dartmouth and Harvard have a student WDA, meaning "We Do Anything." But they draw the line at taking exams for people, attending courses or "fixing" police cases. Among recent assignments filled at Harvard were: wheeling babies, lecturing on snakes, collecting bills, reconstructing Indian pottery, delivering brussel sprouts and counting stars on photographic plates.

At Northwestern U. last month only one girl of 400 who voted, confessed that matrimony was her goal, and then she made it her second choice. . . . Brrr, it's chilly!

A freshman at DePauw University was accompanied to the campus by his father for registration week. The father introduced him to the dean as follows: "Here's my boy. He's a genuine Democrat. He doesn't know where he has been, why he is here, or where he is going. See what you can do for him."

The Army-Harvard gridiron classic was good and wet. After the game, which was played in Cambridge, the caretakers retrieved 1546 empty liquor bottles from underneath the seats. The score was: 782 bottles on the Harvard side and 764 on the Army side.

If you flunked any subject last term, here are the reasons as compiled by a dean at Nebraska — love, ignorance and faculty intelligence.

Just another: A prof at the U. of Minnesota, who advocates prompt attendance at his classes to the extent of locking the door after the last bell has rung, found the tables turned not so long ago. Arriving a minute late for class, he found the door to his lecture room locked from the inside. The class had assembled waited until the last bell had rung, locked the door, waited the required ten minutes, and walked out the back door. — Nice going, gentlemen.

A professor at Syracuse university, while recovering from an appendicitis operation, gave lectures to his chemistry class by telephone.

A Harvard U. philo prof was pointing his lecture-room barbs at an "intelligence test" prepared by a psychology department, in which one of the questions read, "what would you do if you found yourself lost in the woods?"

Peek-A-Boo

A psych instructor at Brooklyn College gave one of his classes an intelligence test several years ago. A few days later, having graded the papers, he announced that the marks showed that there was one near-genius, three who ranked very high, a score or so slightly above average, and he added drily, one moron. The "moron" is now an instructor at City College.

Ezra.

The City and once again now walk around a large Beaver backs. Last week look as "unathletic", as the only fourth in the jockey before 17,000 I

The big d still raging. W lines we've found fraction of the himself a basket will show you h

Coach Ru that "his team points out West point out that i man a foul was mitted modified is entirely plaus Kentucky was l

Nat Holms remedy.

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We

To get bac tion that his bo rang true. But spice to take C whose basketball out to win this g back to last year by scoring 31 co certain Sammy s leg ailment bef College was not once played for was never seen i

At any rate in a talk with th Harris and fixing Huey Long lead pionship team. one of the ex-Ca he actually saw

Sport Sparks

By
Z. E. Lebolt

The City College basketball team won a ball game Saturday night and once again peace is restored in these gray old walls. The boys can now walk around the campus attired in their boldly colored jackets with a large Beaver (and he doesn't look very industrious) squatting on their backs. Last week things were in a bad state. The boys tried to look as "unathletic" as possible, leaving Jimmy Sherrer, substitute center, as the only member of the squad of seventeen who dared to venture forth in the jacket of his uniform. But City College beat St. John's, and before 17,000 people, too; so come back, all is forgiven.

Ruby is a Rare Gem

The big debate about the foul in the N. Y. U.-Kentucky scrap is still raging. We point with pride that out of 16,531 people on the sidelines we've found one (besides Jack Murray) who saw the alleged infraction of the rules. Step up and meet him, folks, he's Ruby Nabatoff, himself a basketball player, and if you can waste fifteen minutes, Ruby will show you how from a technical standpoint Sid Gross was fouled.

Coach Rupp of Kentucky, will find supporters for his statement that "his team would run N. Y. U. off the court by twenty to thirty points out West or in the South" among the Lavender players. They point out that in Geneva, if so much as a hand was laid on the pivot man a foul was called. Since big Red Klein, the wilting Violet, committed modified murder on Leroy Edwards, the Colonels' pivot man, it is entirely plausible. Without Edwards functioning on the bucket play, Kentucky was helpless.

Mr. Holman's Prescription

Nat Holman summed up the situation very accurately and offers a remedy.

"Having players like Edwards under the basket on pivot plays puts a premium on big men," says Nat, who knows every angle of the game. "Unless the defense has a bigger man, how are they to protect themselves except by crowding and holding him. You can't blame Klein for the manner in which he played Edwards, it was the only way to stop him. Basketball gets very stereotyped and loses its speed by having the attack consist solely of one big fellow under the basket. The only remedy, as I see it, is to adopt a rule not allowing the pivot man to take his position "in the bucket" inside the foul line. That would end a great deal of the sectional differences in interpreting rules."

New York Adopts a Quaint English Custom

We noticed, by the way, in Saturday's wind-up tilt that the N. Y. U. players have adopted a quaint custom from the sport of rowing, with their variations. Even if you never went to Oxford, you may have heard of the custom of the winning crew throwing its coxswain into the water. Well, the N. Y. U. players pulled the same gag, the conditions, however, necessitating a slight departure. When their manager came out on the floor with the water pail and N. Y. U. was leading, some of the boys took a big mouthful and soundly doused him with jets of water. Heigh-ho! just an old English custom.

Incidentally, City College players made themselves right at home during the N. Y. U. game. A glance behind the Violet bench would have revealed Captain Sam Winograd placidly munching a big sandwich, Phil Levine peeling an orange, or Sol Kopitko attacking a banana with gusto. When Winograd was finished he ordered one of Burt Jacoby's assistants to get him a drink of water. That industrious gentleman went over to the Kentucky water pail situated at the coach's feet and calmly stood in front of the coach, filling a few cups in the heat of the battle.

We Meet One of the Colonel's Ancestors

To get back to the City-St. John's clash, we find Holman's prediction that his boys gained plenty of seasoning on the Pittsburgh trip rang true. But they will need all that seasoning and plenty of added spice to take George Washington in its lair tonight. The Colonials, whose basketball looked just as ancient as their soubriquet, last year, are out to win this game and make no bones about it. Their grievance goes back to last year's contest when the College set a record of some sort by scoring 31 consecutive points in 17 minutes of play. It seems that a certain Sammy Stein, the Southerners' big star developed a mysterious leg ailment before the game. Further investigation revealed that the College was not exactly in accord with the eligibility of Mr. Stein, who once played for Savage. As a result Stein did not make the trip and was never seen in a George Washington uniform thence.

At any rate we hope to get a warm reception in the capital and get in a talk with the P.W.A. heads about finishing that tunnel to Townsend Harris and fixing up the Stadium. We will also try to arrange to have Huey Long lead his L. S. Uey chess team to New York to play our championship team. And if we see the President we will inform him that one of the ex-Campus men now at Harvard Graduate School writes that he actually saw one of his sons hurrying into one of the dormitories.

BEAVERS TO MEET WASHINGTON TEAM IN TENTH CONTEST

(Continued from Page 1)
and Phil. There is a strong possibility that Holman will start this five shunted to the sidelines.

The Levines turned in an excellent brand of ball at the Garden, Phil showing a good deal of accuracy with his long shots and Milt playing a fast-passing, smooth ball handling game. Goldsmith had little luck with his specialty, set-shots, while the other first strager, Bernie Schiffer saw action for only a minute or two, handicapped by a lame leg.

Winograd High-Scorer

The metropolitan press was unanimous in according Sam Winograd, stellar honors for both games. Not only was Winograd high scorer for the double-header but he turned in a grand floor game after getting off to a bad start and aided in rallying the Beavers when things looked blackest, the Redmen leading 13-3.

The Lavender captain incurred three personal fouls in the first half and failed to incur the fourth throughout the action-packed 20 minutes of the second half. A fourth personal would have meant banishment from the game.

Sol Kopitko and Mike Pincus, overshadowed by the spectacular play of their captain, turned in air-tight defense games. Pincus did a fine reserve job at center after Kopitko was banished late in the second half with four personals. Kopitko was runner-up to Winograd in points scored contributing 7 to Winograd's 13.

J. V. COURT TEAM DEFEATS ST. JOHN'S IN ONE-SIDED TILT

Re-entering the winning column, which they had left so abruptly on New Year's Eve, the Beaver yearling hoopsters defeated the St. John's J. V. team last Wednesday by the score of 39-28. The game which was the team's sixth victory as compared to one defeat, took place on the opposition's court and served as a fitting prelude to the varsity tussle which took place in the Garden Saturday night.

It was a one-sided tilt throughout with the sturdy Beaver men in complete command. At the half time the score stood 20-10, the result of some fine offensive and defensive play on the part of the Beaver men.

With Sunny Fishman leading the way with 8 counters the final tally sheet found every member of the team breaking into the scoring column. One of the most heartening of the night's performances was that of Sy Schneidman. In scoring 7 points, Sy showed he had fully recovered from the leg injury which had kept him inactive for several weeks.

With the St. John's game, the Jayvees concluded the first half of their schedule and they can look back with pride at the results.

"Red" Cohen, ace Beaver forward, Bernie Fleigel, Silkowitz and "Ace" Goldstein followed their mates in close order.

With their next game scheduled for February 2, the yearlings will be given a prolonged rest before their practice sessions begin again.

Guthrie Discusses Judicial Aspects Of Ruling on Compulsory R.O.T.C.

(Continued from Page 1)
order of the Regents of the university transgressed no constitutional right asserted by these appellants.

This ruling of course removes the matter from the jurisdiction of the federal courts and until reversed is a closed incident as the status of the land grant colleges had already been established by the state courts.

In addition to this opinion Justice Cardozo declared "The right of private judgment has never yet been exalted above the powers and compulsion of the agencies of government. One who is a martyr to a principle—which may turn out in the end to be a delusion or an error—does not prove by his martyrdom that he has kept within the law." Seen in the perspective of this utterance by this brilliant jurist the now forgotten "Scopes" case seems shallow and without merit. Justice Cardozo urged that the petitioners had not so far been asked or required to bear arms either offensive or defensive and the justices add, "If they elect to resort to an institution for higher learning maintained with the state's moneys then and only then are they commanded to follow courses of instruction believed by the state to be vital to its welfare." This last is certainly in line with the best judicial practice, see *Muskat v. U. S.* on the plenary power of government read *Joekon V. Mass.*, 197 U.S.11.

On the control of Federal Government over militia and military concerns, the student may be interested in tracing the statutes beginning in the Acts of Feb. 28-1795; of March 3 1807. They might read with profit the Militia act of 1903 and the National Defense Act of 1916 whereby the militia became the "National Guard," a coordinated national organization and a part really of the U.S. Army. Furthermore, those interested in the legal aspects should read *Martin vs Mott*, 12 Wheaton 19 where the plenary power of the National government over the Militia was established. On the grants-in-aid by the national government a long series from 1862 including "land grant colleges", following a pol. began in 1787 in the Northwest Ordin...

and continued with variations ever since. On the plenary power of states over municipal and quasi municipal corporations, the reader should consult *West Chicago Park Commissioners, Chicago*, 152 Ill. 392; *Laramie County v. Albany County*, 92 U.S. 307; *Hunter v. Pittsburg*, 207 U.S. 161; *Mass. v. Mellon*, 262 U.S. 447. On the general propositions involved the cases seem to establish clearly that the national government may grant aid to the land grant colleges on whatsoever terms it sees fit; it may change the conditions at will or withdraw the aid. The states are under no obligation to accept subsidies and may no doubt abandon a course of conduct posited thereon. The national government may give aid to highways but at the same time make a fifty-fifty requirement, designate the grade of the road and require a state guarantee. The far-fetched allusion to the Kellogg-Pact, the court brushed aside bluntly as having no kind of relevancy. The court further intimated that appellants have no power to dictate terms on which they will accept a privilege from the government, a situation elaborated in *U. S. v. Macintosh*, 283 U.S. 605 and *United States v. Schwimmer*, 279 U.S. 644. The most vulnerable point was found however by Cardozo "That they might well refuse to contribute taxes in furtherance of war or in furtherance of any other end condemned by their conscience as irreligious or immoral."

I trust, Mr. Editor, I have stuck to my text. Lest I might appear more obtuse than I am, let me say there is of course another theoretical point of view. This one you may take out perhaps from U.S. Reports on the like; they are carved in stone. One interested may get it on a monument of Nathan Hale. "My only regret is that I have only one life to give to my Country;" or on a monument in a Chicago Park to Stephen A. Douglass; "Teach my sons to obey the laws and honor the Constitution of their Country." We do not know of course whether the conscience of Messrs. Hamilton and Reynolds had been enlightened by these two specific citations.

Former Natator Captain Wins Breast Stroke Event

Lester Kaplan '34, former captain of the College swimming aggregation upset Paul Friesel, national junior breast stroke champion, when he beat the latter in the finals of the fifty-yard breast stroke event in the A.A.U. swimming competition at the Park Central Pool. Kaplan covered the course in the comparatively slow time of 29 2-5, trailing the national junior breast stroke champion till the

first turn, only to come up strong near the finish and nose Friesel out by inches.

Friesel swam in his heat in 28 4-5 seconds, two-fifths of a second slower than the official world's record held by Walter Spence.

George Sheinberg was undoubtedly below his usual par and his exhibition was far inferior to that of his last performance in A.A.U. competition when he swam the hundred, one second faster at the meet at the New York Athletic Club.

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N. S. L. DENOUNCES LAVENDER CADET; ASKS S. C. PROBE

(Continued from Page 1)
term. The faculty advisor, Prof. Holton, the Military Property Custodian, has never been known to attend a meeting.

As to finances, The Cadet Club makes no appropriation to cover the cost of its organ. The Mili Sci Dept. supplies the paper and stencils. When members of the club offered to help run it off their aid was refused, and it was Sergeant Still, a regular army man, who ran off the last issue on the Mili Sci dept mimeograph machine.

It is high time that the authorities take a hand in this matter. A Student Council investigation would go a long way to help rid the school of having to suffer from a deluge of jingoistic propaganda emanating from the "Hearst-inspired Mili Sci Dept." The Lavender Cadet, subject of these attacks will appear tomorrow, and will carry an answer to these charges. The defense as presented by the Cadet, declares that Leonard Spinrad, editor of the publication has already taken, and graduated with honors from the basic course; that Edward Samuels, managing editor, was formerly president of the Cadet Club and was appointed to the post of managing editor last term by Ray Schnitke, then president of the club; that Major Holton is faculty advisor of the Lavender Cadet, and not of the Cadet Club, the advisor of the club being Captain Kotzebue; and that Sergeant Still, who ran off the paper, did so on his own time.

City College Club Reelects Schmuck

The City College Club, at its annual meeting reelected Supreme Court Justice Peter Schmuck '93 as president. Other officers elected at this time were: First Vice-President, James Hopkins '88; Treasurer, Arthur H. Harris '10; Corresponding Secretary, George L. Cohen '09; Recording Secretary, Arthur Taft '20; Historian, David S. Mosesson '06.

New Governors, elected to serve until 1937 are: Samuel Levy '94, Jerome Eisner '95, Gabriel R. Mason '03, Frederick B. Robinson '04, Joseph Eleston '09, William Levinson '18, Arthur Taft '20, Clifford O. Anderson '22, A. L. Sainer '21, Samuel Jacobson '22, Jack A. Nadel '23, Irving Rosenthal '33, and Moe Spahn '34.

Members of the Board of Governors who will serve until December, 1935 are: James Hopkins '88, Edward A. Alexander '92, Peter Schmuck '93, Saul E. Rogers '02, Jacob Holman '04, David S. Mosesson '06, Lewis P. Blaskopf '30, Emanuel Nerblum '07, James Balsam '09, Louis Ogust '10, Charles Rosenbaum '11, Stanley D. Winderman '11, Sylvan Reis '22.

Members of the Board of Governors who will serve until December 1936 are: Morton J. Goldman '32, Joseph L. Buttenweiser '83, Louis Sallant '98, Herbert M. Holton '99, Joseph J. Klein '06, Paul T. Kammerer, Jr. '06, Arthur H. Harris '10, Emerson E. Rossmore '10, Stephen K. Rapp '11, Jacob Schapiro '11, Edward F. Unger '11, Abraham S. Rothberg '22, George L. Cohen '09.

History Department Offers Prize in Oral Examination

The History Department offers a prize of \$50 each semester for the best oral examination on the general field of History. Only seniors graduating in February, 1935 are eligible to compete. The contest will be held next week.

On the Campus

Clubs Meeting Tomorrow
Baskerville Chemical Society — room 204, Chemistry Building, 12:30 p.m.; business meeting including the election of officers.

Business Administration Society — room 203, 12:30 p.m.; election of officers.

Circolo Danto Alighieri — room 2, 12:30 p.m.; installation of officers.

Croquis Sketch Club — room 416, 12 m., sketching from life.

Douglass Society — room 129, 12:30 p.m.; Dr. Ephraim Cross, of the Modern Languages Department, will speak on "The Races and Languages of Africa."

Dramatic Society — room 222, 12:15 p.m.; regular meeting. Four one-act plays will be presented at the Pauline Edwards Theatre Friday evening by the group.

Education Club — room 302, 1 p.m.; elections.

Geology Society — room 318, 12:45 p.m.; election of officers.

History Society — room 126, 12:15 p.m.; Miss Maria Halberstadt, German refugee will speak in English on the "Saar".

Law Society — room 210, 12:30 p.m.; election of officers.

Le Cerele Jusserand — room 211, 12:30 p.m.; David Schoenbrunn '35 will speak on "The Position of the Valet in Moliere."

Mathematics Club — room 123,

12:30 p.m.; election of officers.

Menorah-Avukah Conferences — room 204, 12:30 p.m.; elections.

Phrenocsmia — room 112, 12:30 p.m.; election of officers.

Politics Club — room 94, 12:15 p.m.; elections.

Spanish Club — room 201, 12:30 p.m.; a program of popular songs in Spanish to the accompaniment of a victrola.

Technological Societies — 12:30 p.m.; elections:

A. I. Ch. E.—108 T. A.S.M.E.—107 T.

A. I. E. E.—103 T.

A. S. C. E.—111 T.

Y. M. C. A. — room 105, Technology Building, 12:30 p.m.; election of officers.

Miscellaneous

Mercury is out today.

The Finals in the Boxing Intramurals are to be played off tomorrow at noon in the small gymnasium.

The Band is giving its semi-annual concert tomorrow at noon to the Frosh Chapel in the Great Hall.

Candidates for the editorial board are requested by Lavender to appear in room 410 tomorrow at noon.

Friday is the last day for the payment of Senior Dues.

Professor Heinroth will give his regular organ recitals in the Great Hall, tomorrow at 1 p.m. and Sunday at 4 p.m.

'38 CLASS GIVES MINSTREL SHOW AT FROSH CHAPEL

The first Minstrel Show in the history of the College was presented yesterday at frosh chapel by the class of '38 under the direction of Mr. J. Bailey Harvey of the Public Speaking Department.

The audience was in a receptive mood and applauded vociferously when the white-clothed chorus trotted in from the side entrance of the Gerat Hall. Even the handyman was cheered as he rigged up the microphones and many insisted that he make a speech which, however, he failed to do.

With Professor William Neidlinger accompanying at the piano, the chorus of twenty-five quickly swung into the opening chorus consisting of "My Old Kentucky Home", "Little Brown Jug", "Hear Dem Bells", and "You Shall Be Free."

Clark R. Payne, the interlocutor, was heckled successfully by the four end men, Ted Miller, Leo Weiner, Harold Marenstein and Joseph Wolff. He was also outstanding in a stirring rendition of the "Big Profundo."

A quartet composed of Robert Levy, Leo Weiner, Vincent Frumarek, and Joseph Wolff skillfully interpolated "Alabama Coon" after a solo by Ted Miller.

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