

Press-Herald

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With Egg on the Vest

... the Supreme Court has removed the yolk from the egg and spattered it all over the vest. When Congress or the people try to put it back in the shell, they find it is impossible.

That is the summation of Congressman Leo O'Brien (D-N.Y.) about the nation's reapportionment dilemma which has followed the court's "one-man, one-vote" dictum.

The impact of the decision was so great throughout the several states that within months after the announcement that all state legislative bodies must be composed of members chosen on the basis of population 21 states had passed petitions asking for a constitutional convention to draw up changes to void the court's decision. Six other states are near the approval stage with petitions, according to the Chamber of Commerce of the United States, and the convention will be mandatory if only seven more states approve the call.

While all states are affected by the ruling to some degree, those states like California having lopsided population distribution will feel the brunt of the change ordered.

The changes being forced by the Supreme Court decision, however drastic they will be in our forms of local government, hold the germs of other changes using the same questionable logic.

For example, the question has been raised whether a voter in New York suffers a dilution of his vote because he and several millions vote for the state's two U. S. Senators while a Nevada voter also gets to vote for two Senators.

Projected to our other levels of government, the changes which such interpretations of the U.S. Constitution will bring hold a very serious threat to our traditional form of representative government and will jeopardize our system of checks and balances, minority representation and protection of minority rights.

The substitution of the "mob-rule" tendencies of a pure democracy for our tested representative government hold a very real threat to our future and should not be tolerated by the voters. All of our representatives should be told we expect them to work for the amendment.

A Needless Restriction

While the state's attention has been drawn to the need for stricter controls of addictive drugs and narcotics through the battle—recently won—to put the drug, Percodan, on a triplicate prescription basis, another bill declares that the public safety is jeopardized by the present operations of pharmacies and seeks to correct the matter.

The bill, if successful, could open a Pandora's box of restrictive regulations on California business and professional life.

To cure what Assemblyman Walter W. Powers of Sacramento considers the error of present licensing regulations, his bill would limit the ownership and operation of all pharmacies in California to duly registered California pharmacists.

No one can dispute that the man behind the counter must be such a man—trained, licensed, and registered as a qualified pharmacist.

To put restrictions on the man who owns the business, however, is something else. The proposed statute would require that anyone "beneficially interested" in a pharmacy would have to be a licensed, registered pharmacist. That would mean that a large drug chain corporation could sell its stock only to licensed pharmacists.

What that would mean, opponents point out, is that ownership of pharmacies would be restricted to a few, restricting the competition, and leading inevitably to increased prices for drugs.

A similar bill presented to Governor Nelson A. Rockefeller in New York last year was vetoed. Governor Rockefeller said he could find no relationship between the ownership of the pharmacies and the public health.

An additional threat is the wedge such legislation would provide for future state intrusion into the fields traditionally believed best served by private enterprise. If the state could restrict the ownership in this field, couldn't it do likewise in most other fields coming under state regulations?

The bill is bad and does not correct the bogey man seen by Assemblyman Powers. It deserves the round file.

We Quote...

"In the bible of the deadbeats, the freeloaders, and the patrons of easy living on welfare, California is the promised land.—N. M. McKenzie, Redwood City.

"The odds in favor of a wealthy, happy and complacent nation attaining political maturity are somewhat small.—H. F. Weir, Downer.

"The concept of work has been reduced to the concept of the job; and a job is something you give as little to as you can, take as much from as you can, and get away from as quickly as you can.—Max Lerner, Bandeis University professor, critic, on California lecture tour.

It is not guns that kill people, but people that kill people.—Robert M. Grant, San Jose, on firearms regulations.

"Their heads were getting bigger than their shoulders, so they thought they'd better cool it.—Bill Merrell, Hollywood hairdresser on beehive hairdos.

"To me maturity is a long process. If we can't learn to face reality, good or bad, how then will we learn?—Susan Shaffer, San Francisco.

Isn't it time we stopped calling highway murder an accident?—Mildred L. Liebscher, Alamo.



ROYCE BRIER

Let Little Nations Fly Kites Instead of Planes

It is not of record that in the 1790s England made any loans and grants to us to "modernize" our armed forces, or that later the Emperor Napoleon was so open-handed.

It was the idea of those hard-nosed old parties that small, new nations could damn well take care of themselves, making their own war gear and taxing their people for them. Moreover, the rambunctious trans-atlantic republicans were enough headache without providing them with the means of making trouble for the Old World.

But this stark commonsense would be pretty funny in the New World today, if remembered at all.

Today's idea is to scatter about to all the little nations fighting equipment from our \$50 billion a year stock, which is swollen with overkill, anyway. Does some cabal in some dusty capital pant for a few bombers, fighters, tanks, rocket-throwers, computers and radar?

Why, dish them out, and

then to keep the balance and everybody loving us, dish out the same to his enemy of the past thousand years. For this we get a few embassies stoned occasionally, but \$100 million here in the Washington tax audit.

So it leaked out that the United States is releasing some planes and other equipment to Jordan and Saudi Arabia, but it's hush-hush because Israel is also negotiating for arms in Washington. Another angle, somewhat ethereal, is that President Nasser is supposed to be urging his Arab friends to buy Soviet arms.

Hush-hush or not, this is a contribution to what has become a junior grade arms race in the Mideast, and it differs radically, for instance, from American arming of Turkey against a direct Soviet threat. No kidding, these Mideast arms are not for stabilizing our "friends" if any, out that way. Their purpose is to wage international war when the opportunity offers.

It's not only the Mideast. We are peddling this stuff across the world in \$25 million dribbles, some of it

new, some obsolescent in our half-trillion dollar stockpile.

A good example of what it earns us shows in south Asia, where India and Pakistan are in a miniature border war. So dispatches say India is coming crying that Pakistan is using American-made tanks in the war. Probably are, too, as Pakistan has been our military baby, though now a slightly sour baby, since the Pakistani are pro-Red Chinese.

In the United Nations, a Briton warned of great danger that nuclear arms will fall into the hands of revolutionaries in small nations. Is our next step, then, to hand these nations some teeny-weensy atom bombs to put down their rebels, hoping the rebels don't grab them?

It is submitted here we should tell these supplicants to go fly a kite for fun in the air, or built their own military aircraft, and this goes for tanks and electronic gadgetry, too. If we don't do this one day we are asking for one hell of a blowup, a sort of global prairie fire, and who provided the means to it?

WILLIAM HOGAN

Gimmick Produces Novel About Marquis de Sade

Well, they've done it—come up with a novel based on the scandalous Marquis de Sade. You know, sadism: the infliction of pain, as on a love object. Title is "Satan's Saint"; author is the Los Angeles writer Guy Endore ("King of Paris"); Crown published it (\$4.95), and the New York Times made like the Realist with a full page ad that asked, "Who was this prolific lover whose favorite caress was the whipstroke?"

In his notes at the back of the book, Guy Endore reminds us that the French critic Saint-Beuve dared to suggest that Byron and the Marquis de Sade probably were the greatest inspirers

of the modern trend in literature.

Saint-Beuve did not realize how right he was, for the sadistic novel in today's culture has become not only routine, but boringly so (witness Norman Mailer's "An American Dream"). Endore shows us that Sade's life (1740-1814) was bizarre enough, but it was in his even more disputed books—banned about as often as they are bootlegged—that the real Krafft-Ebing grotesqueries are displayed.

Actually, with all the novel's bizarre investigation of Sade's depravity, "Satan's Saint" seems to me a far less unhealthy literary endeavor than many shock performances that are both distributed and critically acclaimed today.

What interests me is the inclusion in this book of a speech Endore gave before a recent graduating class of the School of Library Service at UCLA, where he had been engaged in research on the Marquis. With an honesty unparalleled in the history of the commercial novel, Endore told the scholars that he didn't want to write such a novel, but a publisher's handsome advance on the idea turned

the trick. "I was convinced," he notes, "that it could not possibly be done, Sade being just too foul for words. I felt that I would die of shame to put my name on a book of this sort."

But the publisher's money got spent. Endore was committed, "and after a while . . . I began to find reasons to feel that the filthy-minded Marquis was perhaps not so bad after all, and in time, and by dint of, so to speak, living with him through his books, I began to absorb something of his viewpoint . . ."

This suggests to me that the Sade story originated as a gimmick rather than a serious work of interpreting a historic pathological case. Yet as craftsman and professional story-teller, Endore has produced a smooth, not overly-revolting book, if (naturally) not everyone's novel. He makes an interesting case for the Marquis.

Endore suggests that perhaps just as chemistry had to develop out of alchemy and astronomy out of astrology, so modern sexual knowledge had first to sprout from what was available at the time, and that would include the performances of "Satin's Saint" himself.

SACRAMENTO REPORT

Legislator Explains How Bill Becomes State Law

By CHARLES E. CHAPEL

Assemblyman, 46th District
The current regular session of the California State Legislature will end at midnight, Friday, June 18, 1965. It is inevitable that the Governor must call us into one or more special sessions after June 18, but even the Governor is unable to prophesy accurately what he will do after June 18.

We might all return to our homes for a few days and then come back, or we may go into a special session on June 19. As I have explained before, the mandatory reapportionment of the State Senate before July 1 is the principal cause of the uncertainty.

An example of the way bills pass into law in California is my own Assembly Bill Number 1116, relating to public property, which I introduced in the Assembly on Feb. 11, 1965. Under our rules, at least 30 days had to elapse before the Assembly Committee on Municipal and County Government could hear the bill. The bill was first presented to that committee on April 15, but I could not get enough eye votes to have the bill passed to the floor of the Assembly, hence I went back each week for four weeks.

On the fourth try, the bill passed out of the committee unanimously to the consent calendar of the Assembly and eventually passed to the Senate where the Senate Rules Committee assigned the bill to the Senate Committee on Local Government. Fortunately, the chairman of that committee is Joseph A. Rattigan, one of the most brilliant lawyers in California, who has carried many of my bills on the floor of the Senate. The bill passed out of his committee on Wednesday, May 19, and eventually will be signed by the Governor. Here is the wording of the bill:

"An act to amend Section 50563 of the Government Code, relating to public property. The people of the State of California do enact as follows:

"Section 1. Section 50563 of the Government Code is amended to read:

"50563. The proceeds of the sale of such improvement shall be distributed by the local agency to the owners of the property which has been or is being assessed to pay for such improvement as their names and addresses appear on the last equalized city or county assessment roll, as the case may be, available on the date the distribution there is commenced, and at their addresses as shown upon such roll or as shown to the official effecting the distribution. Each property owner shall receive an amount which bears the same ratio to the total proceeds as the current assessment against his property bears to the total current assessment for such improvement. In the event the total amount each property owner is entitled to receive exceeds fifty dollars (\$50), such property owner shall certify under penalty of perjury that he is the owner or was the legal owner of such property on the date of distribution. Payment to such person by the local agency shall relieve such local agency of all and any liability for payment under this section."

If you find it difficult to understand what the bill means, do not be discouraged. It took me four weeks to explain it to the Assembly Committee which heard the bill first, even though there are several very intelligent lawyers on that committee. I shall not attempt to explain it in this column other than to say that the enactment of the bill into law will save time, money and trouble for every city and every county in California. It all started when Auten F. Bush, City Attorney for Palos Verdes Estates, and other cities, wrote to me on behalf of the Mayor and City Council of Palos Verdes Estates on Jan. 27, 1965. The bill was difficult to explain to the Assembly Committee principally because the committee has several brilliant

lawyers for members, all of whom argued among themselves about my bill.

Richard Carpenter, executive director and general counsel, League of California Cities, who is himself a brilliant lawyer, became interested in the bill in April and assigned Jack D. Wickware, assistant legal counsel of the League of California Cities, to be present at each presentation of the bill. This was necessary to keep the Assembly lawyers from being to helpful in their efforts to rewrite my bill. If all Assemblymen were farmers, the bill would have been a law long ago. In case this remark is at all difficult to understand, please re-

member that when any two California lawyers meet, a debate begins.

Anyway, all is well that ends well.

I personally read every letter, postal card and telegram I receive. Those that require fast action get it. Those that do not involve the cyanide chamber are answered as soon as possible.

In addition to answering mail, two telephones, and visitors, I spend at least four hours per day voting on the floor of the Assembly; six hours per day in committee hearings; and go to church on Sunday. In my spare time, I eat, sleep, and visit with my own wife, — I am glad to report.

HERB CAEN SAYS:

That's My Lad

IT WAS A GREAT WEEKEND, any way you look at it (provided you weren't looking at it in Viet Nam or Santo Domingo). The Bay was studded with sails—white flags on a blue map of peace. Arthur Hoppe celebrated his 40th birthday (I wish it had been his 80th—I hate competition). And I became a father.

THE TROUBLE with having a baby—if you're a man—is that you're always in the way. I haven't been told "Kindly leave the room" so many times since I was a small boy myself. Doctors, interns, nurses, nurses' aides, even janitors who happened to be passing by—before the event, they were all in my wife's room, conferring like mad. But not me. Oh, no.

So you sit in the waiting room, right? The waiting room for expectant fathers at Children's Hospital is like waiting rooms everywhere—a TV set and a copy of Life magazine in a plastic cover stamped "Do Not Remove Under Pain of Death." Since it was 5 a.m., there was nothing on the telly, not even Gypsy Rose Lee. But there were a couple of other fathers-to-be, and I felt like I'd been through the whole scene before. You've seen it all in the cartoons.

One of the guys was an old hand at this. He wore a leather jacket over his pajama tops, rubbed his stubble and kept groaning, "Jeeze, I feel like I didn't get no sleep at all." The other cat was a young one; he kept tugging at his cropped hair and pacing up and down, as you knew he would. The one ashtray in the room was soon overflowing with butts. Bring the cameras in tight on that ashtray, a.c. Let's establish the mood.

SOON RUNNING out of conversation with the old hand—at 5 a.m. what is there to say?—I picked up the Life. It happened to be the issue devoted to the birth of a baby, in color. What luck! Try reading that at 5 a.m. on an empty stomach and see what it gets you besides queazy. However, it did indicate that the age limit for making the cover of Life has been lowered to the irreducible minimum.

In short, everything was predictable except the unforgettable moment, when a nurse walked in to beam, "Congratulations, it's a boy!" And the other moment, when your wife is wheeled out, looking brave and beautiful, as only a woman can in her finest hour. As for the baby, I still haven't seen much of him except under glass, in an area that Children's Hospital calls "Baby Show." That's not so bad; another hospital in town calls it the "Heirport."

He looks a lot like me, but with any luck he'll outgrow it. And he already has more hair.

ALSO FROM reading the papers, I gather that North Viet Nam is a solid mass of radar stations, vital bridges, barracks, staging areas and anti-aircraft installations, most of which have been wiped out several times over. From the other side, one gets the impression that the Viet Cong farm by day, fight by night (when do they sleep?), live on a handful of rice and use any number of ingenious weapons (I can envision a VC commander calling out: "All right, fellas, let's shoulder those rug-beaters and attack!").

THE GOSPEL according to "Your Federal Income Tax," 1965 edition, Internal Revenue Service, Chapter 42, page 131: "If you are married in the computation year and you or your spouse were married to a different spouse in a base period year, you should see your District Director." Among other people.

Morning Report:

In the dark of the night, when the big jets fly over the White House and the President can't get back to sleep, I'll bet he sometimes wonders what the people think about Viet Nam.

Rarely has one issue brought forth so many pickets, open letters, sit-ins, campus manifestos, and protests of one kind or another. But both houses of the Congress by a count of 496 to 10 voted \$700-million for Viet Nam when the President asked for it on a rush basis.

Now, you can fault these statesmen on many grounds. Some of them aren't too smart. A few are looking for the fast buck. Most of them talk too much. But they are united in one virtue—the virtue of personal survival, getting enough votes at elections. So LBJ can take their judgement on what we think about Viet Nam.

Abe Mellinkoff