

SOUTH BEND NEWS-TIMES

Morning—Evening—Sunday.

JOHN HENRY ZUVER, Editor. GABRIEL R. SUMMERS, Publisher.

ONLY ASSOCIATED PRESS MORNING FRANCHISE PAPER IN NORTHERN INDIANA AND ONLY PAPER EMPLOYING THE INTERNATIONAL NEWS SERVICE IN SOUTH BEND—No other newspaper in the state protected by two leased wires—night and day—news service; also only six-column paper in state outside Indianapolis. Published every day of the year and twice on all days except Sunday and holidays. Entered at the South Bend postoffice as second class mail.

THE NEWS-TIMES PRINTING COMPANY Office: 210 W. Colfax Av. Home Phone 1151. Bell Phone 2106.

Call at the office or telephone above numbers and ask for department wanted—Editorial, Advertising, Circulation, or Accounting. For "want ads." If your name is in the telephone directory, bill will be mailed after insertion. Report instructions to business, bad execution, poor delivery of papers, bad telephone service, etc., to head of department with which you are dealing. The News-Times has thirteen trunk lines all of which respond to Home Phone 1151 and Bell 2106.

SUBSCRIPTION RATES: Morning and Evening Editions, Single Copy 2c; Sunday, 5c; Morning or Evening Edition, daily, including Sunday, by mail, \$5.00 per year in advance. Delivered by carrier in South Bend and Mishawaka, \$5.00 per year in advance, of 12c by the week.

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DAILY CIRCULATION ALWAYS IN EXCESS OF 15,000. SUNDAY 18,000. BOOKS OPEN TO ADVERTISERS.

APRIL 19, 1916.

ANOTHER LEGAL OPINION DEFINING POKER.

The legal status of poker has been established, tentatively at least, by a formal opinion submitted for the instruction of police court magistrates by the district attorney of New York. He holds, as one of the magistrates did recently in a public utterance, that poker when played for recreation and not for profit, is not gambling. It is a legitimate gentleman's game, not subject to legal interference, even though some of the gentlemen happen to win money by it.

Such poker, he explains, belongs in the amateur class, as distinguished from professional poker. It is only the latter that is outlawed, although heretofore, in most communities, the prohibition has been held to include both classes.

The distinction between the two he makes a simple matter. In professional or illegal poker there is a percentage of the winnings reserved for the "house." If there is no such rake-off, it is an amateur game.

This opinion, if generally accepted, would make it impossible for the police authorities anywhere to interfere with the private playing of poker in clubs or private houses or hotel rooms. As a matter of fact, there has seldom been such interference, in spite of laws whose literal enforcement would ban card games when played for money. Whatever may be thought of the merits of it, it must be said that the district attorney's opinion accords with the usual view—as entertained by the gamblers in communities where gambling is under the ban.

Applied in South Bend, how many of the recent indictments will stick? And yet there is small question but the guilty ones among the indicted thought they were gambling at the time—and especially the ones who lost.

OPTIMISM AND PESSIMISM IN NATIONAL PATRIOTISM.

The war between the optimists and the pessimists, usually a vogue with the optimists assuming the self-satisfied attitude and the pessimists bedecked with horns, appears to have undergone reverses in these days of preparedness. Once it was a crime for an American to dream in nightmares. Today he is a puddinghead to dream otherwise. It is in consequence wanted that we reverse all our years of optimistic patriotism, and grow morbid and morose with assurances that we are plunging headlong to the demitison bow wows,—from which an army and navy to "beat the world" alone can save us.

All of which merely goes to prove a couple well-laid definitions of optimism and pessimism. The optimist doesn't give a rap what happens as long as it don't happen to him.

The pessimist is so all-fired afraid that something won't happen that he shudders the gloom without waiting for it.

We ourselves, have commented at times upon our self-satisfied assurance of our national strength and greatness, and too, have been pushed aside as being "unduly apprehensive." Some time ago we took occasion to remark that our school histories had given us some false ideas of our wars, our heroes and our victories, and we were deliberately sat down upon, but here is an editorial from the Herald-Republican, of Salt Lake City, Utah, which we have seen quoted in almost every exchange that comes to our table, sometime within the past few weeks, and since it comes from a distance, we reprint it, anticipating that South Bend folk will appreciate it, and take it for all wood and a yard wide. To quote:

"Incurable optimism as to national defence is a national trait. It is congenital, biological, and hereditary. Whatever of its elements we fail to possess at birth is provided in early years by a considerate educational system that tells United States history precisely as we wish to hear it told. How a mere handful of colonists 'licked' the whole British empire, how a similar number of citizens of the young republic did it again a few years later, and how similar progress has always distinguished our nation in time of war,—these are the lessons taught in every story of the country the children are permitted to see.

"Nowhere is the pupil told that Great Britain was so busy at home during both American wars she could not spare men enough to engage even the sparse Continentals, or the hardly more numerous citizens of the new republic on anything like equal terms. Nowhere is he told that the victory of the War of the Rebellion went to sheer force of numbers. Nowhere is he told that decadent Spain was an inferior power whom anybody could have defeated. Nowhere is he told anything that might shake his confidence in his country's prowess."

That statement two years ago, and even two days before the Lusitania was sunk, would by most optimistic Americans have been regarded as well-nigh seditious, if not traitorous; surely pessimistic. Now it is hailed as "judicious." Our wives have been getting their fashions from Paris so long, and we men have been importing our styles from London for so near a like period, that with France and England united in a great war, we seem to have caught the war spirit from them also, and that being the fashion in Europe, are prone to think we cannot get along without it. And so we are to begin telling our children, and prompting our-

selfs, on how weak and puny we are, and how it would be for France or England, say nothing of Germany, to wipe us entirely off the map, else we take on their military style of preparedness. We condemn the editorial, not for the truth of it, but for its evident purpose, viz: to propagate a scare.

We ought to be able to act judiciously, and pursue a reasonable preparedness, without being driven to it by ghosts. We have no sympathy whatever for those "frenzied preparedists" who had to wait for the Lusitania to go down—before they could give up their optimism and turn pessimists, which is about what it amounts to. A good opinion of the optimist and the pessimist is that they are both fools. The optimist sees the doughnut, yes, and the pessimist sees the hole, but the reason the optimist sees the doughnut is because it is good to eat—while the pessimist looking at the hole, though still having the best part of it, because of the nothingness, can hardly be congratulated for getting scared.

STANDARD OIL AND ARMOR PLATE "OCTOPUSES" ON OUR LIST.

Ah, how, watch our chest expand. We are on the correspondence list of the Bethlehem Steel Co., Mr. Charles M. Schwab, president. We do not know exactly how we come to get on Charley's correspondence list, but we're there, and he loves us so that he is writing us almost daily. He is "putting us right" on this wild attempt of the government to install an armor plate plant for the manufacture of armor plate for the navy. Late prices quoted the government by Mr. Schwab, he admits to be considerably below what was charged before the installation of this plant became a serious matter, and yet armor plate is going up all the while. He says the people ought to be kind and gentle, and considerate to Bethlehem, and Carnegie and Midvale steel, in view of this philanthropy. They put it up to us to tell the people so.

And we have another correspondent of the "octopus" school who has just recently discovered us. It is Standard Oil—of John D. Rockefeller fame. He wants us to give his side to the people, incident to this threatened congressional investigation, inspired by gasoline, with which he is being confronted, and this reminds us:

Fishing, as recreation, is a fine thing. It promotes such excellent qualities as patience, endurance and spiritual contemplation. But when congress goes after a criminal conspiracy, headed by the Standard octopus, it simply baits its hook for sharks and drops its line in a wash tub, figuratively speaking, when it ought to be conscientiously sawing wood. It will land only a foolish demonstration of patience and endurance, and fast-talking folks have already got all they want of such.

For over 30 years we've had congressional law enough to jail every trust conspirator in the country. Convictions under this law haven't been frequent enough or serious enough to have the slightest effect as a deterrent. The U. S. supreme court has emasculated what law we had and the conspirators have abandoned the practice of getting together in formal meeting to concoct crime. That's all the relief the public has got out of legislation and it has paid, finally, all the costs on both sides of the case in getting that.

We doubt very much if there is any conspiracy in the present situation that is at all tangible. Conspiracy isn't necessary. One man, one head orders this or that done. It is the height of efficiency. Ye gods! Under present business ethics it isn't conspiracy; its inspiration!

Moreover, if this is criminality, there are mighty few business concerns that are not guilty of it or would be, if they could.

The Standard octopus, like the sea creature after which it is named, not only has tentacles with which to seize its prey but it also has power to discharge a volume of black fluid to conceal its movements when attacked. The situation is opaque and we will get nothing by fishing in such waters. Right pat was Senator Lodge's exclamation in the senate, the other day, "Why, the supreme court dissolved Standard Oil, didn't it?"

It is pretty clearly demonstrated that, such is the frightful evil of over-capitalization, you can't "regulate" a corporation, to the extent of any substantial relief to the public, without breaking that corporation. Years and years of attempted legislation, prosecution, investigation and regulation are making it more and more clear that government competition is the only relief from corporation monopoly in the necessities of life.

Let congress, instead of hopelessly fishing in the inky fluid squeezed out of the Standard octopus by our supreme court, open up the government oil territory and start a few refineries. Observe how promptly the armor and powder monopolies have dropped upon their knees, at the first congressional peep about government competition. To catch octopi, bait with octopus. To down pests, breed germs that consume pests. If it weren't for political bees that are always buzzing in our hair, we'd learn a lot from fishermen and bacteriologists that we could apply, with great advantage, to our economies.

Incident to which, of course, we are enjoying our new and aristocratic correspondents,—but wouldn't we be suckers to bite? Well, some fishermen say "suckers don't bite anyhow."

PANAMA CANAL WORKING AGAIN AND BETTER THAN EVER.

The Panama canal is open again, better than ever. Not only has the vast quantity of debris that slid into the ditch been removed, but the channel has been made 300 feet wider at the place where the menace was greatest. Gen. Goethals says there is no probability of so great a slide ever occurring again, or of the canal being blocked for any considerable period.

The opening brings grateful relief to shipping, particularly our own coast-to-coast traffic and the through traffic from Pacific ports to Europe. The two or three dozen ships that lay waiting for passage to be cleared are once more live tonnage, and all the ships that have for several months been making the long trip around Cape Horn have their sailing time shortened by many weeks.

It amounts virtually to adding scores of vessels to the world's ocean traffic, at a time when every available bottom is needed because of the ship famine caused by the war. We shall appreciate the canal all the more, now that we have learned what it means to us and the world.

Portland, Ore., is scandalized by the mysterious disappearance of one thousand cords of wood from the city wood pile. From recent observation of the Portland political situation, we are led to suggest that the shortage is caused by the holes left when the colored gents crawled out.

According to Dr. Frederick Starr more than one thousand millionaires have been made in Japan since the war began, the whole nation is rolling in wealth and a wave of extravagance is sweeping the country. And some of us insist on excluding those Japs? We ought to be sending them free transportation to America.

Those Apache scouts who joined the Villa hunt rode 60 miles a-horseback and then danced all night. Got trained to it in New Mexico cabarets, perhaps. On her sea side Holland is preparing to fight England and on her land side to fight Germany. There's what you might call 18-karat neutrality.

The Melting Pot

Filled by the Editorial Staff.

THE TEST.

Man's head is built on a pivot And can be turned with ease. He can twist it and turn it. Any old way he may please. Hence if a Jane in a flashy attire, Happens to pass up the street, He is sure to see her and eye her, While she bears a strolling retreat. But if the same dame passes the ladies, And they turn about and stare, Just take it from us, this Jane, Is dressed in adornment that's rare.

"It looks better on the inside. Come in," says a sign in a local store.

Wanted—A good girl to help about the house, One who will go home nights.

IN THE MOVIES. Things used to explain matters and make a short story go a long way: His old son and wife John. Is useful only as an ornament. The haunted house in two parts. A night out, in five reels. Included in life's little bunch of puzzlers is the applause at the moving picture houses. Why not toss flowers across the screen.

SPRING FICTION. Don't do without an Easter hat. Prices within the reach of all. Miss Doyougoud, milliner.

FIND BODY OF VILLA. Reports that the body of the Mexican bandit Villa has been dug up and was being brought to Chihuahua by Carranza's men have reached the American side and confirmation is awaited before any action is taken towards the withdrawal of troops from Mexico.

At first the report was viewed with suspicion but the Mexicans claim it is true and that Villa is dead and his body will be shown to prove it.—Monday's papers.

But Villa's body is still missing whether he be alive or dead. The real trouble with the Carranzistas is that they are not aware that at present every man, woman and child in the United States comes from Missouri, so far as Mexico is concerned.

While the case of Villa is being considered the Michigan City News took no chances. It says in the headlines: VILLA REPORTED DEAD AND ALIVE Readers Given Choice in Villa Reports.

GENERAL PURPOSES. Wanted—Wagon, a good covered coffee and tea wagon suitable for milk or any kind of peddling.

We see where the Boston American league team is being referred to as the Speakerless Sox. Would suggest that they be called the Silent Sox, but on second thought realize there is no such thing this season.

ROAD TO SUCCESS. A youth with ambition wanted to write ads.

He studied the papers, he watched all the fads. He wrote of the country, he wrote of streets, He wrote of the bacon, he wrote about sweets. He spent much money, he tossed it along.

But he got few answers from his publicity song. When he advertised meat, he'd picture a cow, He had much to learn, he didn't know how. He'd show the washer just out of the mill.

But he never got there, he never made good until He pictured the ladies, The beautiful ladies, The little doll babies, The Sutes and Sadies. He'd show them here, He'd show them there, They had to be in it, Before he'd begin it.

A trip to the coast. A butcher's best roast He could boast into fame By picturing a dame.

The best story of the day—The home team won.

What inning is it over at Verdun. We have lost count.

From all appearances the Germans are still ahead although the French claim they will be right there when it comes to the ninth inning. They claim they still have their pinch hitters to call upon. The German manager when seen yesterday said he had plenty of good men brought up from the bushes and that his nine will be ready to finish as strong as it started.

No more pays till Easter. Sure tough lines.

Walt Mason, of repute as a prose poet, has bought a motor car, and after learning to run it will make his initial trip through Nemaha county, Kansas, where he used to work for \$12 a month and failed to work when he struck for a raise of \$14. He hopes to create an impression that will make the one-time employers sorry that they didn't hang on to him.

The lines in the Dutch national hymn, "Preserve, O God, the dear old ground, Thou to our fathers gave," seem to indicate a considerable modesty on the part of Netherlanders, the supposedly correct fact being that they reclaimed the ground themselves. Providence actually being something of a hindrance, both to its acquisition and its "preservation" for which they pray.

With Other Editors Than Ours

WELLNESS VS. SICKNESS. (Portland, Me., Express.)

We shall watch with much interest the experiment about to be undertaken by the able "editress" of the Bar Harbor Record. For the next few weeks the Record will try out a theory that constant reference in speech and writing to sickness tends to aggravate the ills to which human flesh is heir, and therefore, will confine its news to the doings of people who are well or, at least, will feature healthfulness instead of illness.

It is no longer a cult but plain common sense that mental attitude has much to do with bodily welfare. Ergo, young man Optimism should certainly be a much more desirable chap to have around than old grouse Pessimism. Applied to one's private life there can be no argument as to the wisdom of the Record's logic but considered from a news standpoint we are not quite so sure. If Jones goes home feeling blue and half sick and finds his wife the same way and a battle of vituperation follows which results in Jones knocking his wife down and getting arrested for it—that's the fodder for the newspaper gristmill. But if Jones goes home glad he is alive, kinky as a kitten, finds Mrs. Jones in a similar frame of mind, embraces her affectionately and sits down to a faultless dinner—who cares outside of the Joneses? If Chimney Johnson of the Dumprangers breaks a ten-cent bat in knocking a healthy, joyous home run over the railroad track, it probably won't get in the papers, but if he breaks his leg it may. So, too, if Mrs. Gladraas is disgustingly healthy this spring it will not attract much attention, but if she happens to contract pneumonia all her friends will want the latest bedside bulletin. It is too bad that it is so, but sickness, sorrow, and trouble of one kind or another, seem to be directly or indirectly responsible for the greater part of the sensational news a majority of people like to read. If the Record can make its readers want nothing but the bright side of life in their newspaper it will certainly have achieved something worth while. So go ahead with your "Mrs. X is robustly well instead of shockingly sick" scheme and may it succeed.

GETTING RICH OUT OF WAR. (New York World.)

Every country at war happens upon a time sooner or later when it thinks it is getting rich out of the struggle. This was the common state of mind in the north particularly during the last two years of the civil war. It has been the prevalent and even the stated official view in Germany almost from the beginning of the present war.

The English economist, Sir George Paish, is now giving figures which will incline the British mind to the same impression. With 4,000,000 men taken away from productive industry, he yet calculates that Britain's gross annual income has increased from \$12,000,000,000 to \$15,000,000,000 since the war began.

Very likely it has—on paper. It was on paper that we were rich from the civil war until the bubble burst some years later. Women and former unemployed may have largely taken the places vacated by Great Britain's 4,000,000 soldiers, and there has been a speeding up in working activity all around. There is also an inflation of the British currency, as the foreign exchange show, in relation to the American dollar, which is a factor in bringing higher nominal wages.

But if from all these causes the gross nominal income of Great Britain is greater than before the war, the actual net income must be much smaller and growing smaller all the time.

The higher wages are offset by the higher prices and cost of living, and there is left a general net income certainly no greater than before the war with which to meet the government's rapidly increasing war tax levies to pay interest on the war debt and in contribution to current war expenses. The new British war debt alone is already taking \$500,000,000 a year out of this net income. It will be taking \$850,000,000 if the war lasts another year—small compared with the nation's gross in-

come before the war, tremendous as against the net income available for saving or capital from which it must come.

No way has yet been found by which a nation can tax itself rich or become enriched from the costs and destructions of war.

GERMAN GAINS IN EAST AND WEST. (Buffalo News.)

Things go well with the Germans on both the eastern and western front, if dispatches are authentic and accurate. The 13-day offensive by the Russians in the eastern theater has resulted in a repulse to the czar's troops with a loss of 140,000 men out of 500,000, almost unprecedented in the history of the war. The information comes from Berlin and is therefore probably not without bias. Allowing the widest margin of distortion, however, it is extremely probable that an effective blow was dealt in obeying the kaiser's command to "elect the foe." On the western front the six weeks' fighting before Verdun culminated in a mighty attack on the village Vaux Thursday night, resulting in evacuation of the village by the French and its occupation by the Germans.

This report is from Paris and also is probably not without bias. Presumably the allies' defeat there is of greater consequence than the French admit.

Yet, where does it all lead? The Russian defeat in the east is but a part of the general plan to engage the attention of the Germans from the west and, though they have driven the Muscovites from their newest lines it means little of military consequence.

At Verdun too, the gain is discounted by contemplating what the Germans must still accomplish before they have really scored on the military chess board. The taking of Vaux is a step, true enough, but only one in a long journey, every inch of which will be sorely contested.

The developments of the past week only strengthen the belief that the war is not to be one of tangible achievement but rather a war of attrition and exhaustion and the wonder grows that the limit hasn't long since been passed.

The British air authorities have been arguing in the London papers that there never could be a successful raid by a squadron of Zeppelins because there were too many natural obstacles in the way and Germany could not turn the airships out quickly enough, the Zeppelin raids on the eastern coast of Great Britain have been increasing in frequency and in effectiveness. Last night one squadron of the huge airships even managed to reach Scotland—what part of Caledonia has not been indicated in the dispatches at this writing—and killed 10 persons, wounding many others. At the same time, other squadrons were at work along the eastern coasts of England and also in the southeast.

These attacks are conclusive proof that Germany now has a vast fleet of the dirigibles and has had experience enough in her previous forays to strike Britain in vital parts. It is evident, too, that such progress has been made in overcoming the mechanical obstacles that the new Zeppelins are capable of long voyages and their field of operation is not limited as it was when the inventor first experimented at Zurich.

In relying on aeroplanes, the French and British may be right, but so far they have not been able to overcome Zeppelins except in one or two instances and then it has been brought about by the use of a French monoplane that is pronounced to be a freak. As the case stands, whatever the aeroplanes may achieve in the future, it is the Zeppelins that at this time are accomplishing results.

A boy in Ohio is described as "the champion coin collector," but we are under the impression that John D. Rockefeller still holds the title.—Macon, Ga., News.

Golden Sun Coffee

Advertisement for Golden Sun Coffee. Includes text: "Couldn't Be Better Coffee is one of the commonest staples of the grocery. But Golden Sun is an uncommon drink. A cup of Golden Sun in the morning gives you a flying start in tackling the day's work. Try it." THE WOOLSON SPICE COMPANY Toledo Ohio. Image of a Golden Sun Coffee tin.

ANNOUNCEMENT

Announcement for Yellowstone National Park. Information about the park, special representative of the Department of Tours, Oliver Hotel, South Bend, Tuesday, April 18th, and Wednesday, April 19th. Includes contact information for S. A. Hutchison, Manager, Department of Tours, 146 S. Clark St., Chicago.

Coupon for "AMERICA: THE LAND WE LOVE" illustrated edition. Includes text: "CLIP THIS COUPON AND PRESENT IT TOGETHER WITH OUR ADVERTISED PRICE OF 98 CENTS AT OUR MAIN OFFICE AND RECEIVE YOUR COPY OF 'AMERICA: THE LAND WE LOVE.' This coupon secures \$3 volume and only 98c extra for postage." Includes image of the book cover.

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