

# Free Speech That Incites Receives OK

Supreme Court Ruling Kills Fine Imposed On Charge Of Bad Conduct

WASHINGTON, May 17.—(AP)—The Supreme Court split 5 to 4 Monday in declaring the right of free speech exists even when the utterances stir people to anger and unrest.

The majority opinion prompted a dissent by Justice Jackson that "if this court does not temper its doctrinaire logic with a little practical wisdom it will convert the constitutional Bill of Rights into a suicide pact."

The case involved a \$100 fine imposed on Arthur Terminiello for a speech he delivered in the Chicago Auditorium Feb. 7, 1946. Terminiello appealed from an Illinois Supreme Court decision upholding his conviction on a disorderly conduct charge. The Illinois Court said he made "wild, intemperate and inflammatory utterances" which "tended to incite to violence against the angry mob outside."

Justice Douglas delivered Monday's majority decision. Chief Justice Vinson wrote a dissenting opinion. Justice Frankfurter also wrote a dissenting opinion in which Justices Jackson and Burton concurred. Jackson also wrote a separate dissenting opinion in which Justice Burton joined.

The record in the case showed Terminiello had been invited to address the Chicago meeting by Gerald L. K. Smith. His speech the high tribunal was told, preached hatred of the New Deal and of Jews, contempt for England and charged Mrs. Franklin D. Roosevelt "with being a Communist."

Jackson said Terminiello had been advertised in advance of his speech as a Roman Catholic priest of Birmingham, Ala., but the jurist noted that the trial brought out he was under suspension by his bishop.

**Other Court Decisions**  
Besides striking down the Terminiello fine, the court in other actions today:

1. Granted the Government permission to sue Texas and Louisiana in an effort to establish paramount rights of the United States to oil rich lands off their coasts.
2. Decided, 7 to 2, that the United States can be ordered to pay damages for the death or injury of soldiers even when payments already have been made under military and veterans' benefit laws. The case came to the tribunal after the U. S. Circuit Court in Richmond, Va., held the U. S. District Court for Western North Carolina should not have awarded damages to a soldier and his parents. The soldier was injured and his brother, also an Army enlisted man, was killed

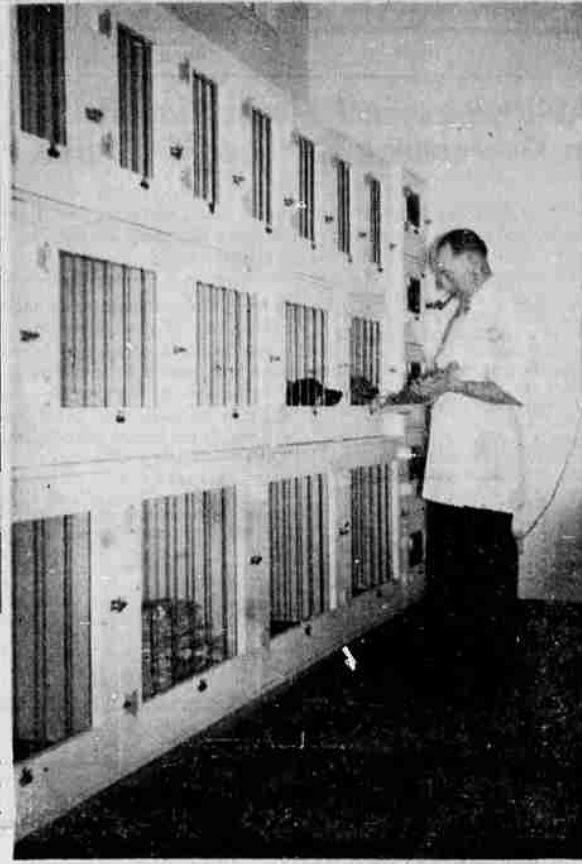
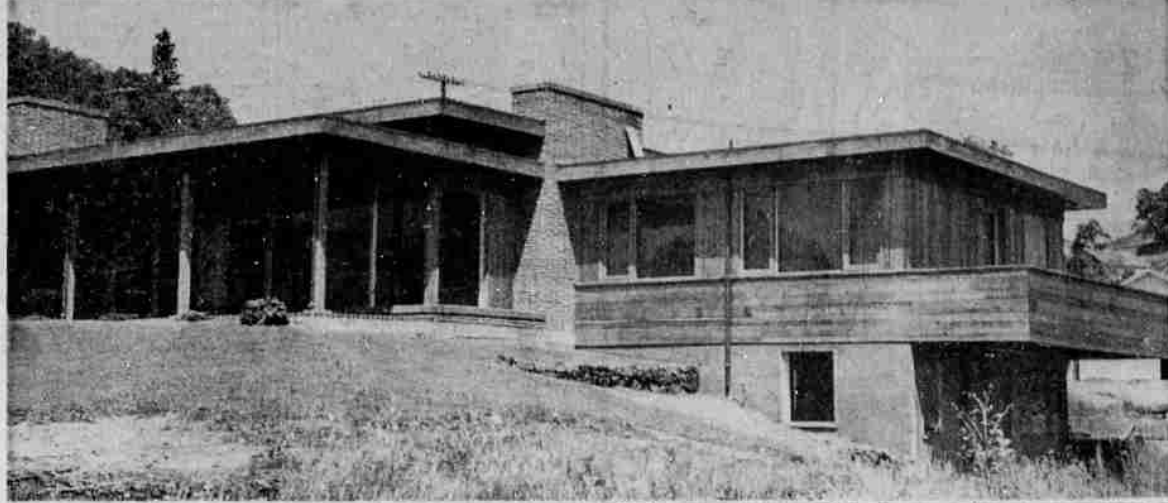
# The News-Review

Established 1873

ROSEBURG, OREGON—WEDNESDAY, MAY 18, 1949

SECTION TWO

★ 117-49



**OH, FOR THE LIFE OF A DOG!**—An example of modern designing is Dr. and Mrs. Dallen Jones' above-pictured small animal hospital on Highway 99 near the north city limits. On the lower left is Mrs. Jones, receptionist, in the attractive, knotty pine reception lobby, while on the right Dr. Jones takes a characteristic pose attending the kennels. Serving the double purpose of home and hospital, the building contains attractively designed living quarters in one portion. In the other is the X-ray room, laboratory, operating room, isolation ward and 48 kennels. The Jones', formerly associated with Dr. George L. Nicholas, opened in their new building last November. Prior to that, they operated a business in Oakland and also in Salem. (Pictures by Paul Jenkins and Tauscher-Carstens).

in a highway accident while they were on leave.

3. Ruled unanimously that the Federal Communications Commission properly denied a license renewal to radio station WORL of Boston. The Commission's refusal was based on a contention that the station gave false information about stock ownership and its financial status.

**Douglas Gives Opinion**  
In his majority opinion in the Terminiello case, Douglas declared that "a function of free speech under our system of government is to invite dispute."

"It may indeed best serve its high purpose when it induces a condition of unrest, creates dis-

satisfaction with conditions as they are, or even stirs people to anger," Douglas added.

Jackson, however, declared that Terminiello's victory today "certainly fulfills the most extravagant hopes of both right and left totalitarian groups, who want nothing so much as to paralyze and discredit the only Democratic authority that can curb them in their battle for the streets."

Jackson continued:  
"We must bear in mind that no serious outbreak of mob violence, race rioting, lynching or public disorder is likely to get going without help of some speech-making to some mass of people. . . ."

## London Court Keeps Eisler In Jail To Await Hearing On Extradition

LONDON, May 17.—(AP)—A London magistrate Monday sent Communist Gerhart Eisler back to jail for at least eight days to await a hearing on whether he will be returned to the United States as a fugitive from justice.

Eisler was refused bail by the court, which ordered him "remanded in custody." He jumped \$23,500 bail in the United States and fled as a stowaway. He now must show cause why he should not be extradited.

Eisler's counsel offered "substantial sureties" in his bail plea, but Magistrate J. W. Eastwood said Eisler "has been convicted of a crime—that is, perjury—by a properly appointed court of the United States, and his appeal against that has been dismissed."

Eisler's counsel, Dudley Colard, told the court he hopes to prove that the defendant was charged with an offense of a "political character."

"He is not nor has he ever been a member of the Communist Party of America," said the attorney. "He is and has always been a German national."

In a speech at a dinner in New York March 3, Eisler said: "I am not the No. 1 Communist. I am only an average Communist individual."

While the hearing was going on, members of the House of

Commons argued about the Eisler case. One Labor Party member asked Home Secretary Ebe whether Eisler "will be accorded the traditional rights of asylum accorded to (political) refugees."

Ebe, whose department supervises courts, replied:  
"It is not what the man claims to be but what the facts reveal him to be." He said Britain must await the evidence before deciding.

Jerzy Michalowski, Poland's ambassador in London, had an interview about the case with British Foreign Secretary Ernest Bevin. The Embassy already had

## 2nd Tornado In Two Days Hits Panhandle

Buildings Razed, Three Persons Hurt; Amarillo Damage Past \$3 Million

AMARILLO, Tex., May 18.—(AP)—Another tornado lashed the Texas panhandle Monday night, injuring at least three persons and destroying considerable property.

The injured were at Stratford, Tex., about 26 miles northeast of Dalhart, where two homes were destroyed.

Hurt were Mrs. Emory Blake; Mrs. Fred Austin and her daughter, Miss Leona Austin.

At Amarillo, Mrs. E. W. Marrs, 41, died Tuesday, the fifth victim of a tornado which tore a path of destruction through this Panhandle city Sunday night.

The tornado Monday night struck the farm home of Victor McGee, eight miles east of Dalhart, damaging the house and tearing up outbuildings and farm machinery. That was at 10:30 p. m.

Thirty minutes later, the black twister hit the northwest edge of Stratford. Two homes were demolished.

A granary at the rear of the Dan Foreman home in Stratford was lifted up and carried about 100 feet.

At 11:20 p. m., 20 miles northeast of Stratford, the tail of the tornado lashed again. It damaged property on the Carl Reynolds farm a mile northeast of Texhoma.

A quarter of a mile north of Texhoma, the twister hit another farm, uprooting trees and tearing down outbuildings. A front porch was sheared off. A windmill was blown down.

All along its path, the tornado wrecked telegraph and telephone lines.

The last report of the twister was 12 miles northeast of Texhoma where it tore up fences and outbuildings on the Elmo Jones farm.

Meanwhile, Amarillo brushed off the confusion and horror of an earlier tornado, figured a multi-million dollar damage bill and counted itself lucky.

The twister which early Sunday night killed four persons and injured 83, skipped and bounced over the south part of the city. If it had stayed on the ground, it would have shattered the entire southern portion of this Panhandle capital of 102,000, said Weather Bureau Observer H. C. Winburn.

Damage estimates from the tornado have edged past \$3,000,000. An estimated 350 homes were demolished or destroyed in a mangled 35-block area.

announced its intention of making a strong protest against the removal of Eisler from the Polish ship Batory.

**WINDOWS DOORS FRAMES**  
Priced Right  
**PAGE LUMBER & FUEL**  
164 E. 2nd Ave. S. Phone 242

**MOVING TO MY NEW BUILDING AND LOCATION IN SUTHERLIN, MAY 31 DURING MONTH OF MAY PRICES CUT TO THE BONE WITH FITTING PERFECTION MAX SCHWARTZ Clothier and Tailor 124 W. Cass Roseburg**

**Ken's Office Equipment**  
631 S. Stephens  
Phone 1261-R  
For repairs on your typewriter or adding machines.

You can **Swim Boat Play** River lot above the dam for sale. Write or Call 435 S. Main Phone 679-R

## When It's Time To Eat, It's Time To Refresh

**Coca-Cola**  
"Coke"  
5¢  
Ask for it either way... both trade-marks mean the same thing.

BOTTLED UNDER AUTHORITY OF THE COCA-COLA COMPANY BY Coca-Cola Bottling Company of Roseburg  
© 1949, The Coca-Cola Company

**Bulgar Premier Reported Liquidated By Soviet**  
BERLIN, May 17.—(AP)—The right wing Liberal Democratic newspaper Montags Echo printed a Vienna dispatch Monday quoting an unconfirmed report that Bulgarian Premier Georgi Dimitrov had been arrested and sentenced by a Communist Party court in the Soviet Union.

Dimitrov, who took a leave of absence from his post, has been reported ill in Russia.

The newspaper gave no source for its report and did not say for what Dimitrov had been sentenced or what the sentence was.

**Three Bedroom Home TO BE SOLD**

It is beautifully located overlooking South Roseburg. The lot is large and the home was finished this spring. All the rooms are of generous size and the entire place reflects the thoughtfulness of detail used by the owner.

This is NOT just another three bedroom house, this is "The Three Bedroom Home."

Reasonably Priced  
Beautifully Located  
Wonderfully Constructed and Properly Designed

For Sale by C. S. Briggs & Co.  
112 West Cass St., Roseburg  
REALTORS

Here it is... the Latest and Finest All-Steel Kitchen!

... And It's Low-Priced to Amaze You!

For Most Homes Costs No More Than the Old-Style Wood!

Order it Piece-by-Piece or a Complete Kitchen on low, convenient payments!

Fits Like Magic ANY Kitchen—new or old—regardless of size or shape!

In 48 Hours or LESS a complete American Kitchen is installed ready to enjoy!

Don't Buy Until You See **American KITCHENS** STYLED IN STEEL

**MODERN FURNITURE CO.**  
222 W. Oak Phone 348

Visit our showrooms or mail coupon now for sensational new facts

Modern Furniture Co., 222 W. Oak St., Roseburg

Please send new sensational details of latest, finest equipment—All-Steel—with 20 exclusive features.

Name.....  
Street.....  
City.....State.....

## Mercy Hospital's Executive Sisters Attend Conventions Of Hospital Assns. In S. F.

Sister Mary Austin, R.N., superintendent of Mercy Hospital, Roseburg, and Sister Mary Kevin, R.N., surgical supervisor, have returned to Roseburg after attending conventions of Western Hospitals and the western conference of the Catholic Hospital Association, May 8 to 12, inclusive at the civic auditorium, San Francisco.

More than 1,500 hospital administrators and department heads from nine western states, together with delegates from Hawaii, Alaska and British Columbia, were present, bringing total registration to 2,526, Sister Austin reports.

Delegates, she states, were asked to study current problems in nurse training, care of infants, new techniques in therapy and control of increased operating costs, in accordance with the conference theme: "Better Hospitals for Better Health."

Sixteen different hospital departments and professions sponsored sectional meetings to discuss individual problems in dietetics, pharmacy, medical social work, occupational and physiotherapy, in addition to general sessions each day.

**County Participation Urged**  
Among interesting presentations, Sister Austin reports, was that by Dr. Malcolm T. MacEachern, assistant director of the American College of Surgeons, who, declaring that adequate medical care now is available for all who need it, urged county officials to assume responsibility for hospital facilities needed to care for county patients. He added that too often private or non-profit institutions must carry the responsibility to furnish hospital facilities for an entire county.

Other topics of special interest to the Roseburg delegates were presented by Doctors G. Otis Whitecotton, medical director of Alameda County hospital, Oakland, Calif.; Dr. Charles Holman, medical director, University of Oregon medical school, hospitals and clinics, Portland, Ore.; Dr. J. O. Katzine, director Mount Zion

Hospital, San Francisco, discussing various medical phases, and Fred M. Moore, administrator Rieder Memorial Hospital, Marysville, Calif., reporting on the economic outlook for small hospitals in 1949, and John L. Sunberg, superintendent of The Dalles General Hospital, The Dalles, Oregon, speaking on plant efficiency with limited budgets.

"It was of interest to know that approximately 25 percent of the Catholic Sisterhood operating hospitals in the State of California are under the management of the Sisters of Mercy," Sister Austin said. "Each of these hospitals, like our own Mercy Hospital, is a non-profit institution, self-supporting, and under the management of a local administrator and governing board of directors."

The Reverend Edmund Hyland, O. F. M., Cap., pastor of St. Joseph's Catholic Church, Roseburg, attended the Chaplains' Conference of Western Hospital Association, held as a part of the convention program, May 11.

**FLOOR SANDING and FINISHING**  
Estimates  
**Leslie Pfaff**  
320 Ward St. Phone 1349-J