

The Evening Herald

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Important Decision

In the rush of war news last week, no doubt many a reader overlooked the highly important United States supreme court decision upholding a free press in the famed Los Angeles Times case.

The high court reversed the conviction of the Los Angeles newspaper, which by a lower court had been held guilty of contempt of court because it had published three editorials criticizing the superior court in Los Angeles.

Justice Hugo Black read the majority opinion of the United States supreme court upholding the right of a free newspaper to express its opinions at the time of liveliest public interest.

"An enforced silence," said Justice Black, "however limited, solely in the name of preserving the dignity of the bench, would probably engender resentment, suspicion and contempt more than it would enhance respect. . . . The assumption that respect for the judiciary can be won by shielding judges from published criticism wrongly appraises the character of American public opinion."

The enlightened decision was in keeping with the spirit of the first amendment of the constitution and is a timely reaffirmation of the rights of Americans to criticize public officials. To clamp down on criticism of the courts would be just a step away from proscribing criticism of any public official, and eventually that could lead to the complete dissolution of democratic practices.

Restrictions of this sort against published criticism would next be extended to any form of expression, and there you have Mr. Hitler's methods of controlling the thinking of a whole people.

Freedom of the press is a fundamental American liberty; no American liberty is safe when freedom of the press is lost.

Weather News Restrictions

AMERICAN people have read the weather news in their newspapers for so long that it is hard to become accustomed to the new ruling against publication of forecasts.

But it is plainly a necessary precaution against giving news which might be of value to the enemy. Weather information is vital to aviation. The American authorities are moving to keep this vital information for the use of only our own and friendly fliers, and to withhold it from the foe.

Hence weather news is restricted, with the restrictions being more firmly imposed upon radio reports than published news, for obvious reasons. It's a wartime measure that the public will gladly tolerate: when the war is over, the weatherman's prophecies will be welcomed back like an old friend.

"Amazing effrontery" is the way the Corvallis Gazette-Times describes a recent speech by Rollo Groesbeck in connection with higher educational affairs. Knowing the imperturbability of our Mr. Groesbeck, we do not worry about him, even when he's in the thick of one of those higher educational ruckuses that periodically stir partisan breasts in the Willamette valley.

Defense measures require the occasional silencing of radios. Best story about it that we have heard told of a Spokane woman who called a station there and asked them if they had gone off the air. Getting an affirmative answer she replied: "Why you can't be. The light is still on in my radio."

It is good news that Long-Bell employes at Weed are back at work—good news here and better news at Weed. It is to be hoped that the issues can be settled in fairness to both labor and management—as fairly with the men at work as if there was still a strike underway. The time has come when work cessation is not a necessary part of the proper settlement of labor difficulties. In war time, we can't afford work cessation.

OBITUARY

JOSEPH LINDSEY FOTHERINGHAM

Joseph Lindsey Fotheringham, for the last 30 years a resident of Merrill, Ore., passed away at his late residence on Saturday, December 13, 1941, at 10:40 p. m., following a brief illness. He was a native of Garner, Iowa, and at the time of his death was aged 54 years and 12 days. Surviving are his wife Mrs. Harriet Fotheringham of Merrill, Ore.; three daughters, Mrs. Anabelle Colt of this city, Mrs. Geraldine Peterson of Hauser, Ore., and Miss Louise Fotheringham of San Jose, Calif.; two sons, Joseph C. and Walter W. of Merrill, Ore.; and one brother, Walter Fotheringham of Merrill, Ore.; also one grandchild. The remains rest in the Earl Whitlock funeral home, Pine street at Sixth. Notice of funeral to appear in this issue of the paper.

FUNERAL

JOSEPH LINDSEY FOTHERINGHAM

Funeral services for the late Joseph Lindsey Fotheringham who passed away at his home south of Merrill Saturday evening after a brief illness were held in the First Presbyterian church at Merrill, Ore., on Tuesday, December 16, 1941, at 2 p. m. with the Rev. Lawrence H. Mitchelmore, pastor, officiating. Commitment services and vault entombment family plot in the IOOF cemetery, Merrill, Ore. Arrangements were under the direction of the Earl Whitlock funeral home of this city.

We will apprehend the alien trouble-makers, but we will protect the others against persecution and injustice.—Attorney-General Francis S. Biddle.

NEWS BEHIND THE NEWS By PAUL MALLON

WASHINGTON, Dec. 16—There is some truth in the claims of both reds and nazis about what happened in this great Russian triumph. The hordes of Hitler are not merely drawing in the pockets they thrust into the Russian lines in their desperate pre-war push for Leningrad, Moscow and the Caucasus. They are not merely straightening out their line. They are retreating to a planned winter front. It is not a straight, fortified position, but has been hastily re-constructed on old red defense lines, based primarily on natural obstacles, such as rivers, marshes, hills, which are usable in reverse.

In the process of this retreat, Herr Hitler is getting the licking of his life, to date. The withdrawal was started with considerable haste in a race against the falling thermometer. Large quantities of disabled or slow moving equipment had to be left behind for the reds to repair and use.

ROADS BLOCKED

Causes of der fuehrer's debacle (aside from the obvious unconquerable courage of the red legions) have naturally been obscured in communiques from both Moscow and Berlin. Foremost was the factor that Hitler could not keep open through the winter, the roads by which to supply his advanced forces. He had to get his troops back where he could feed them.

But, equally important, was his shortage of manpower. His retreat confessed this. The trained daredevil battalions of the nazis have been used up in continuous assaults. They cannot be replaced. He dare not hold long lines. He must draw in, reorganize, plan to marshal every available energy, and every tank for a new campaign in the spring.

It must be conceded then, realistically, that his chances look fairly good. He still has a formidable army and the Russians badly need equipment which they are not likely to get in sufficient quantities before the weather clears again. The jackal has merely retired to lick his first wounds.

ITALY VULNERABLE

Hitler pretended, in his significantly sober reichstag speech, that he had all Europe, outside of Russia, securely in his grasp. This may not prove true. The prospects of the Libyan campaign furnish hope that a British invasion of Italy will come next year—and that is where we may come in.

The sly nazi tank general Rommel has been forced back into the Libyan hills, southeast and southwest of Tobruk. The main section of his army was encircled there, early in this second British drive. Two British raiding parties have swept around to the sea behind him to cut off retreat. The British idea is to pound him against the coast and exterminate him. Rommel still had two nazi tank divisions, one Italian tank division and two Italian motorized infantry divisions, at last count. He cannot expect much from the fagged Italians. They held Hellfire pass, long after the British had passed, but the garrison there was isolated and unprepared.

If Rommel is wiped out, Mussolini will see a great concentration of allied troops (no doubt including Americans) on the shores of Tripoli, preparing to leap upon his shoulders, which have been drooping continuously since he first raised them to plunge a knife in the back of France.

SOUTH AMERICA

South America is coming around, but don't expect too much, too fast. Each nation there has its own peculiar internal political problem to work out, before war can be declared. Chile is the toughest spot, with elections next year. The pro-American left wingers are powerful, but if they win, the local fascists may start shooting. Argentina is also diffi-

SIDE GLANCES



"She has a normal pulse, fine color and no fever—you might find out whether they're having examinations at school this week!"

The people seem to be more pro-American than the government, at times. Former President Justo, who is popular with the army, would throw Argentina on our side if he could stage a successful revolt. No violence is expected, but neither is an early declaration of war. Brazil has a flexible leadership, trying to help us and handle a large German and Italian population. Pro-axis provincial revolts are possible, but Brazil will come in on our side eventually.

Filipino Army Division Wipes Out Invaders

MANILA, P. I., Tuesday, Dec. 16 (UP)—First details reached here today of a battle at Lingayen beach, 110 miles northwest of Manila, where a Filipino army division, lining the shore with artillery, blasted 154 motor boat loads of invading Japanese soldiers without letting one of them reach land alive. The battle lasted three days. It began last Wednesday night and at last report the Filipinos were holding the beach and the colonel in command sent word to Manila his force would stand their ground "to the last man."

Await Attempt Details were brought here by a correspondent of the Daily Herald. He quoted the colonel, whom he did not identify, as saying: "We eagerly awaited the Japanese attempt to land. The enemy showed up Wednesday night. I counted 154 motorboats in all. We held our fire until they were near. (The dispatch did not say so, but army officials believed the Filipinos used flares to light up their targets.)

Then," the colonel continued, "our artillery roared into action. Most boats were destroyed. A few managed to escape to warships which must have been anchored far beyond the horizon. Since then the enemy has attempted to land but each time he has been frustrated."

Planes Shot Down The correspondent reported when the colonel promised to fight to the last man "he was merely voicing the sentiments of men of all ranks whom I interviewed." The colonel was said to be convinced the Japanese would never gain a foothold in his sector.

There were reports from Dagupan, 10 miles east of Lingayen, that three more Japanese planes were shot down today two by anti-aircraft guns and one by an American pursuit plane pilot who charged into the three invading planes single-handed.

The Philippine defenders, grimly holding America's first frontier on these far-away trop-

ORDINANCE ON BLACKOUT SET UP BY COUNCIL

An ordinance providing a \$100 fine or 30 days in jail as punishment for blackout violations was initiated at Monday night's meeting of the city council and is scheduled for final passage December 22.

This proposed ordinance, first of its kind in Klamath Falls' history, makes it unlawful to refuse or neglect to comply with blackout regulations set up by civil authorities, the army or the navy. In general, it outlines such restrictions as turning out exterior lights and obscuring interior lights, and automobile operation restrictions during periods of emergency.

Reserves Set Up At Monday night's meeting the council passed ordinances setting up police and fire reserves. Fire Chief Keith K. Ambrose reported 73 turned out for the firemen reserve drill Sunday, out of 118 who had registered.

"I guess the others think we are playing," said Ambrose. He explained the city was being divided into nine districts for fire-fighting. The reserve will not protect the residential districts, which are covered by the regular fire department. Wood working plants will set up their own fire-fighting organizations.

Police Chief Frank Hamm said 180, or 30 more than he had asked for, turned out for a police reserve meeting Sunday night.

Charles Lederer, district attorney of Modoc county and defense coordinator at Alturas, spoke to the council, urging that Klamath and Modoc counties work together in blackouts and other defense emergency activities. Klamath Falls, he said, might be a military objective.

Cooperation Pledged Mayor Houston assured him of Klamath's desire to cooperate and asked him to confer with

erways were littered with the wreckage of nine Japanese transports and 47 airplanes and the defenders were still un-

Police Chief Frank Hamm and Orth Sisemore, ARP chairman for the Klamath defense council. The council received a letter from the California Oregon Power company discussing blackout arrangements, particularly in connection with turning off street lights. Cooperation was pledged by Copco and the light and water committee was detailed to confer with H. P. Bosworth, Copco manager, on the problems involved.

Red Cross Lists Places to Take Contributions

Contributions to Klamath Falls' voluntary Red Cross drive for war funds will be received at the following places: Red Cross Headquarters, First National Bank, U. S. National Bank, First Federal Savings and Loan Association, Radio Station KFJL Herald and News.

Courthouse Records MONDAY

Marriage Licenses SCHULTZ-WOOD, Bernard Thiri Schultz, 10, Klamath Falls, mill worker, native of North Dakota, Anna May Wood, 16, Klamath Falls, student, native of Oregon. SMITH-HARDIE, Weston Scott Smith, 21, Klamath Falls, railroad clerk, native of Oregon, Donna Hardie, 19, Portland, stenographer, native of Nebraska. COOPER-CUMMINGS, Daniel Birdine Cooper, 33, Woodburn, timber faller, native of Missouri, Vella Elaine Cummings, 25, Keno, housekeeper, native of Nevada.

Complaints Filed Benton County State bank versus L. Wayne and William Maust, Suit to collect on promissory note. William Kuykendall, Lester G. Oehler, attorneys for plaintiff. Moty and Van Dyke Inc. versus Arthur Lundgren, Suit to collect promissory note. William Ganong, attorney for plaintiff. Justice Court Christian Glenn George, no operator's license. Paid \$10 fine.

ODD GATHERINGS A total of 836 congresses, assemblies and exhibitions were held in Europe during 1930. Among the most unusual were the International Congress of Tramps, the International Congress of Lodgers and a gathering of 20,000 herring fishermen.

★ ENDS TODAY ★ JACK BENNY ★ "CHARLEY'S AUNT" ★ ★ ★ ★ ★ Plays Wednesday -- Thursday COMEDY HIT NO. 1—

Tuxedo Junction with THE WEAVER BROS. & ELVIRY. Bringing you mountains of mirth and melody!

LATEST NEWS OF THE DAY Matinee Daily — Doors Open at 1:30 ACTION HIT NO. 2—

A TROUBLE-SHOOTIN' TRIO ON THE TERROR TRAIL OF RENEGADES!

ROAD Agent DICK FORAN LEO CARRILLO ANDY DEVINE

DIAL 5582 FOR THEATRE INFORMATION (PINE TREE!)

STARTS TODAY SONGS AND DANCES! LOVE AND LOVELIES! FUN AND FUNSTERS! RISE AND SHINE! JACK OAKIE GEORGE MURPHY WALTER BRENNAN LINDA DARNELL MILTON BERLE in Mark Hellinger's RISE and SHINE Sheldon Leonard · Donald Meek Ruth Donnelly · Raymond Walburn

TODAY - WEDNESDAY VOX UNCENSORED VERSION HEDY LAMARR ECSTASY ADULTS ONLY No Advance In Prices Shows 2, 7, 9

RAINBOW Wednesday - Thursday —Hit No. 1— Anne Shirley - James Ellison 'ANNE OF WINDY POPLARS' —Hit No. 2— William Gargan - June Lang 'ISLE OF DESTINY' Matinee Daily at 2 P. M. DIAL 5582 20c PLUS TAX