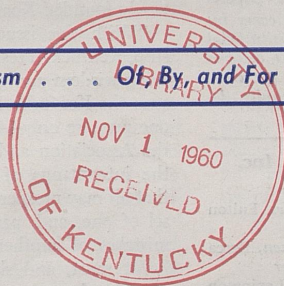


# The Kentucky Press

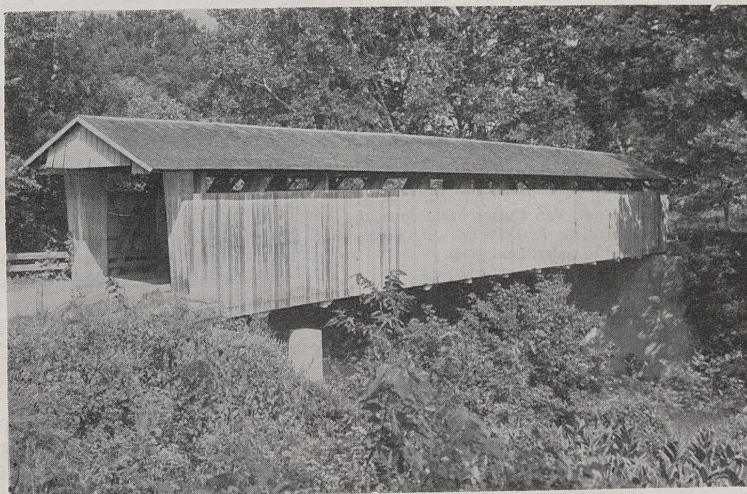
October, 1960

Published in the Interest of Community Journalism . . . **By, and For** Kentucky Newspapers



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Publication Office:  
School of Journalism  
University of Kentucky  
Lexington

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VOLUME TWENTY-SEVEN  
NUMBER ONE



Kentucky's Showcase: A Covered Bridge Near Cynthiana

Official Publication Kentucky Press Association



# The Kentucky Press + As We See It +

Volume 27, Number 1

Official Publication  
Kentucky Press Association, Inc.  
Kentucky Press Service, Inc.

Victor R. Portmann, Editor  
Perry J. Ashley, Associate Editor  
Member

Kentucky Chamber of Commerce  
Newspaper Managers Association

Sustaining Member  
National Editorial Association

Associate Member

National Newspaper Promotion Association  
Printed by The Kernel Press

*The Kentucky Press Association recognizes the fundamental importance of the implied trust imposed on newspapers and dissemination of public information. It stands for truth, fairness, accuracy, and decency in the presentation of news, as set forth in the Canons of Journalism. It advocates strict ethical standards in its advertising column. It opposes the publication of propaganda under the guise of news. It affirms the obligation of a newspaper to frank, honest and fearless editorial expressions. It respects equality of opinion and the right of every individual to participation in the Constitutional guarantee of Freedom of the Press. It believes in the newspaper as a vital medium for civic, economic, social, and cultural community development and progress.*

## Kentucky Press Association, Inc.

Paul Westpheling, *President*  
*Fulton County News, Fulton*  
W. Foster Adams, *Vice-President*  
*Berea Citizen, Berea*  
Victor R. Portmann, *Secretary-Manager*  
*University of Kentucky, Lexington*

## District Executive Committee

*Chairman, John B. Gaines, Park City News, Bowling Green (Fourth); First, William T. Davis, Lyon County Herald, Eddyville; Second, Larry Stone, Messenger-Argus, Central City; Third, Basil Caummisar, Courier-Journal, Louisville; Fifth, Frank C. Bell, Trimble Democrat, Bedford; Sixth, George Trotter, Enterprise, Lebanon; Seventh, Warren R. Fisher, Jr., Mercury, Carlisle; Eighth, George Joplin III, Commonwealth, Somerset; Ninth, James T. Norris, Jr., Independent, Ashland; Tenth, Maurice K. Henry, Daily News, Middlesboro; State-at-Large, Fred J. Burkhard, Casey County News, Liberty; State-at-Large, S. C. Van Curon, State Journal, Frankfort; Immediate Past President, Thomas L. Adams, Herald-Leader, Lexington.*

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*Messenger, Brandenburg*  
George M. Wilson, *First Vice President*  
*Herald-News, Hardinsburg*  
Bennet Roach, *Second Vice President*  
*Shelby News, Shelbyville*  
Victor R. Portmann, *Secretary-Manager*  
*University of Kentucky, Lexington*

## Board of Directors

*Chairman, Enos Swain, Advocate-Messenger, Danville; Rumsey E. Garrison, Anderson News, Lawrenceburg; Maurice Henry, Daily News, Middlesboro; Niles O. Dillingham, Progress, Dawson Springs; Officers ex-officio.*

## Kentucky Press Enters Twenty-Seventh Volume

Extract from the minutes of Secretary J. Curtis Alcock of the Mid-winter meeting of the Kentucky Press Association, held at the Kentucky Hotel, Louisville, January 18-19, 1929:

"Victor R. Portmann, of the Department of Journalism, University of Kentucky, Lexington, made a proposition to publish a monthly paper, or magazine, to be known as 'The Kentucky Press,' as the official organ of the Kentucky Press Association. He said the paper would be published in the printing shop of the University of Kentucky, Department of Journalism, and would be self-supporting after the first issue or two.

"A motion was made and carried unanimously that the publication be endorsed and the mailing charges for the first two issues to be paid for by the Association."

We quote the first editorial on the editorial page of Volume 1, Number 1, of the newly founded Kentucky Press:

"With this issue is launched the good ship, Kentucky Press. Long may it float and bring wisdom and good fortune to its sponsors, the Kentucky Press Association. It has one purpose only—to serve the members of the Association and the Kentucky press by the interchange of opinions and ideas so that all may prosper through the good counsel of one, and, paradoxically, through the mistakes of another.

"It must, and shall serve as a medium whereby the newspapermen of the state can meet on a common ground to discuss business methods and ideas pertinent to the craft without the necessity for waiting for the mid-winter and summer meetings of the Association. The time is limited at these meetings and there are many problems that must be discussed and threshed out that can be done through these columns.

"This is YOUR paper—its success depends upon your cooperation. The slogan, 'Of, By, And For The Kentucky Press,' are not mere pieces of arranged type, but carry a meaning that measures the ultimate success of this publication. Send in your problems. Your fellow editor has the same problems and has been able to meet them through certain procedures. He will be glad to discuss his solutions for you through these volumns."

This pledge has been the goal of the Press through twenty-six years of publication—and we hope today, beginning Volume Twenty-Seven, that the pledge has been kept—and again reiterated.

The minutes of 1929 include the election of officers: Jim M. Allen, Cynthiana Democrat, President; Herndon J. Evans, Pineville

Sun, Vice-President; and J. Curtis Alcock, Danville Daily Advocate, Secretary; and J. T. Lovett, Murray Ledger & Times, Chairman of the Executive Committee. President Allen appointed his executive committee to include:

Dorothy Leigh Harris, Henderson Journal; Mildred Babbage, Cloverport News; William Marriott, Elizabethtown News; Brainard Platt, Louisville Courier-Journal; Keith Hood, Bedford Trimble Democrat; Robert L. Elkin, Lancaster Central Record; James T. Norris, Ashland Independent; Charles A. Kirk, Paintsville Herald; and George A. Joplin, Jr., Somerset Commonwealth.

Ben B. Cozine, Shelbyville News, was the retiring president, and the annual financial statement showed a balance of \$629.51 in the treasury.

Surely the Association, and The Press, have showed great progress since January, 1929. The apparent discrepancy of volume years is due to the discontinuance of the Press during the Second World War.

The Press again requests your articles on all matters of interest to the craft for publication—it is indeed YOUR paper—and its goal is SERVICE.

\* \* \* \* \*

## \$1 Million Defense Fund

At the recent convention of International Printing Pressmen and Assistants' Union in New York City established a \$1 million defense fund to pay strike benefits of \$50 weekly, financed by a \$1 monthly assessment on the union's 114,000 members. When the fund drops below \$500,000, the \$1 assessment will be reinstated.

In another action, the convention's resolutions committee questioned the legality and practicality of a resolution that would require all contracts with newspaper publishers to run concurrently and terminate on a date set by the International Union. However, the delegates did amend the IPPAU Constitution to limit the term of any newspaper contract to three years, the limitation subject only to a waiver from the International President.

\* \* \* \* \*

## ON THE COVER

One of the few remaining covered bridges in Kentucky is that which spans Hinkson Creek, 10 miles from Cynthiana, in Bourbon County. The exact age of the span is not known, but local residents estimate it to be at least 100 years old. The structure still remains in good repair.

Photo—courtesy The Cynthiana Democrat.

OCTOBER

NNPA

News

(From

The development of paper-wide publication as perhaps the NNPA this is because of the ing and implementation to fall on us.

How NNPA public relations and circulation area backbone of the though practice of the newspaper at least some of The announcement Newspaper In the important industry attached have read the and know that appointed its prime responsibility and coordinat way possible.

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## NNPA Drive Started To Place Newspapers In Every Classroom

(From an NNPA Bulletin)

The development of an effective newspaper-wide public relations effort still stands as perhaps the most important project facing NNPA this year. It is so important to us because of the responsibility for originating and implementing the program is bound to fall on us.

How NNPA initiates and carries out public relations activities in its own city and circulation area is bound to be much of the backbone of this public relations effort; even though practically every other department of the newspaper is going to be involved in at least some of these projects.

The announcement of the new ANPA Newspaper Information Service spotlights the important role that the entire newspaper industry attaches to this area. By now you have read the formal announcement of NIS, and know that Eugene Gardner has been appointed its director. It will be one of our prime responsibilities to support this service and coordinate our work with it in every way possible.

This particular article will discuss in some detail one of the two most important public relations opportunities available to the newspaper industry today: namely the use of "Newspaper in the Classroom." Al Sorge of Jackson, Mississippi, has done a tremendous job of originating and developing a questionnaire to all newspapers on this subject.

Our original plan was to report back to the membership on the findings of this survey at our national meeting. This is where the matter stands at the present time. It means, of course, that you will shortly be getting the questionnaire and that we very badly need all-out cooperation from each one of you in filling it out. It will very likely come with my next President's newsletter.

We have taken the liberty of sending the questionnaire on to Stanford Smith, the brilliant, young newly-appointed general manager of ANPA. You all remember what a terrific job Stan did on this project at Phoenix. We have also sent a copy on to C. K. (Ken) Jefferson, Circulating Director of the Des Moines Register. Ken, along with some tremendously effective folks at the Milwaukee Journal, can almost lay claim to being "the fathers" of this project. We have suggested a wider distribution of this questionnaire than NNPA membership only. But so far no final decision has been made.

I am, however, most anxious that NNPA should do a thorough job of reporting in detail our own experiences in this all-important work.

To give you a fuller idea of just how important it can be, I want to quote from a teacher in Geneva, Alabama, some 215 miles from Birmingham. She was one of a group of 50 teachers to whom we gave one free subscription to our newspaper and one copy of the Milwaukee Journal's "Newspaper in the Classroom."

This, with the proper introduction from our school promotion director, was all we did. We left it to the teacher to work up her own plan for using materials given to her.

She participated in the end of the term project of writing up her experiences with the "Newspaper in the Classroom." Her's was the prize-winning entry of many responses received in competition for a modest prize. Many of the other teachers mentioned some of the ideas that she did. But she gave by far the finest and most comprehensive report of her activities. It is a superb example of what can be done with this project.

"Since our school is small and our cultural advantages limited, I fear I may be wasting your time by submitting this resume of our experiences and fun we have shared and are still sharing while studying the news in our civics classes. However, I was delighted when The Birmingham News, through Mrs. Young, invited our school to participate in the project. The study has done much for me and my classes, and my paper depicts some of our experiences in this new effort, as well as the desirable results obtained. I have felt throughout my career as a teacher that a daily newspaper is the most important single channel for keeping informed when read regularly and systematically. We realize much can be gained from future association with The News and to continue the program next year.

"Many teachers rely on the textbook to meet all their needs, but I feel that with the changing patterns in our complex society, many times the book is obsolete before it has cleared the pressroom. Since any work done outside the textbook is viewed as extra and unnecessary by former students or teachers who hold this text view (teachers do set patterns), I knew and sensed that I had to sell my views and it would take much time and energy.

"Using the book and other materials so graciously supplied by The News, we devoted several days to learning how to read a newspaper. We finally agreed on the Five W Plan as a pattern for our reports. (Who-what-when-where-why?) A questionnaire sent to parents of our students was well received and returned with the desired information pertaining to the number of newspapers, magazines, and printed materials available in the home.

"We found that forty-nine percent of the group did not receive a newspaper—any kind of newspaper. They had not thought a newspaper important to the school room. Our problem is to convince this large group of the need and this is being done through the efforts of their offspring—children have much influence with parents and most parents want to supply any materials that will improve their child's standing, if they are made conscious of the need in a tactful way. I don't presume that all the forty-nine percent are now receiving subscriptions, but many are.

"Any learning process must have objectives. Children, in order to do their best work, must understand what they are doing and why they are doing it. Then they must be able to check the results to their own satisfaction. The group mentioned many objectives for making a study of the news, but finally selected the following as most desirable:

- "1. To read the newspaper for popular information.
- "2. To develop skill in locating reading materials on particular topics.
- "3. To discriminate in the choice of authors and sources of information.
- "4. To be able to detect inconsistencies, contradictions and errors.
- "5. To be able to choose between fact and opinion, between a major and a minor fact, between a permanent principle and temporary trend.
- "6. To broaden and deepen sympathies.
- "7. To promote understanding and tolerance.
- "8. To look for articles that increase faith in our democratic belief.
- "9. To search for articles that vitalize citizenship.
- "10. To appreciate the interdependence of peoples and nations.
- "11. To search for articles that promote the cause of world peace.

"The Birmingham News has meant much to our group. The articles on teenagers helped the students to understand themselves and they certainly gave the teacher an insight into the whims of changeable youth. Frankly, the benefits and pleasures

(Please Turn To Page Eight)



## "Sidewalk Days"

By BOB WHITAKER  
Advertising Manager  
Cynthiana Democrat

Cynthiana's first annual "Sidewalk Dasy" promotion, October 6 and 7, proved to be very successful for both the Cynthiana Democrat (advertising revenue-wise), and for the local merchants who offered timely bargains.

The sales gimmick, sponsored by the retail committee of the Chamber of Commerce, brought hundreds of people to Cynthiana. The different approach of merchandise offered on the sidewalks on racks and counters was different and new to Harrison Countians.

Highlighting the sales promotion was a Friday afternoon band concert, an amateur and fiddler's contest Friday night, and a street dance Saturday night. The festivities developed on the busiest street of Cynthiana.

The Democrat gave the two-day event plenty of advance publicity (pictures and stories) and also followed up the promotion with pictures hoping to create interest for a "Sidewalk Days" in 1961. The Democrat and radio station, WCYN, were used as the advertising media by the local merchants. One week prior to the sales event the merchants ran a full page ad promoting "Sidewalk Days." In addition to this, the Democrat also distributed 2,000 extra copies of the special edition to surrounding counties.

Admen promoting the event for their local Chamber of Commerce might be interested in the following suggestions.

1. A few merchants felt the event was planned too early for winter items and too late for summer goods.

2. Public address systems outside the individual stores used by pitchmen promoting free items and low price bargains add to the carnival atmosphere of the event and stirs the crowd to action (BUYING).

3. Cash registers should be kept in the stores (preferably at the back of stores) rather than on the streets. This way the customer must go through the store to pay and is subjected to other merchandise.

4. Old fashion costumes add to the atmosphere of the event.

5. The chamber should give FREE prizes at drawings for lucky ticket holders. Registering should take place in the stores, drawings on Saturday night.

6. Urge everyone to participate for more IMPACT.

If you wish to be perfect, follow the advice that you give others.

## Murray Tri-Weekly Changes to Daily

The Murray Democrat, newest in the ranks of daily newspapers in Kentucky, published its first edition of the daily on Monday, October 3. Publisher Kerby Jennings reports publication plans are for an afternoon paper on Monday through Friday with a Sunday edition, which will go to press late Saturday night. There will be no regular Saturday edition.

O. J. Jennings, a senior at Murray State College, has been named as editor of the newly formed daily. He is the son of publisher Kerby Jennings and the third generation of the newspaper family, being a grandson of the late O. J. Jennings who owned the Murray Ledger for nearly 30 years.

The Democrat was founded in 1941 by Kerby Jennings as a weekly. It remained on this status throughout World War II before being converted to twice-weekly in 1947. In 1950 a Sunday edition was added to the publication, the position in which it had remained until this month.

In preparing for the daily, the Democrat management has installed the Associated Press service with teletypesetter accessories.

In addition to the Democrat, the Jennings family owns and publishes the Valley Sun, a weekly publication in Calvert City, which the publishers expect to convert into a twice-weekly in the near future.

## Owingsville News-Outlook Sold By Paul I. Lewis

The Bath County News-Outlook was recently purchased from Paul I. Lewis by Russell L. Metz, of Salem, Ind.

The new owner will take over management and operation of the business Nov. 1. Lewis has been publisher of the newspaper for 12 years.

Metz, a native of Tell City, Ind., has been managing editor and assistant to the publisher of the Salem Leader for the past 10 years. In the past eight years he has won six national state newspaper awards.

Metz is a five year veteran of World War II, flying with the Royal Canadian Air Force in 1940-41 and the United States Air Force in 1942-45.

At Salem, he was a member of the Chamber of Commerce, American Legion and Methodist Church.

Mr. and Mrs. Metz have two children, Jerri Lynne, 15, and Ken Edward, 2. Metz will move here with his family around the first of the month.

Safety is as simple as ABC—Always Be Careful!

## NNPA Meeting

The Southern Region of the National Newspaper Promotion Association held its meeting in Lexington, October 13-15, with regional president Ed Templin, Lexington Herald-Leader, serving as host. The Herald-Leader also entertained the executive committee of the Kentucky Press Association at a cocktail party and banquet on Friday night at the Holiday Inn in Lexington.

Hal Boyle, Associated Press writer and Pulitzer Prize winner, told the combined groups that war-time reporting was easier than in peace-time. During times of national emergencies he said there was a greater unity of purpose with readers all sympathetic to the same cause. The columnist said he prefers to interview children and hermits—children, because they have a freshness to life before they get too much education and become too conformist.

Other highlights of the NNPA program were sessions on editorial promotion and public relations, circulation promotion, general and retail advertising promotion, production techniques of low-cost color slide presentation, classified promotion and research.

Activities of Kentucky newspaper men appearing on the three-day program were: Ed Templin, president of the Southern Region of NNPA; Fred B. Wachs, president and general manager of the Lexington Herald-Leader who delivered a keynote address; Thomas L. Adams, circulation manager, Lexington Herald-Leader, presided over a circulation panel; Basil Caummissar, Courier-Journal and Times, introduced Hal Boyle at the banquet.

About 125 NNPA members and Kentucky Press Association members attended the dinner on Friday night.

## In Memoriam...

James T. Whitmer, 54, night editor of the Owensboro Messenger-Inquirer, died Sunday, October 9, of a heart attack. He had been ill for eight weeks.

Whitmer had been associated with the newspaper's editorial department since 1923, first with the Messenger and later with the consolidated papers. He was sports editor at one time, and, in 1929, became night editor.

He started as a newspaper carrier and worked in the press room before becoming a newsman. In 1942 he was named director of publicity at Dade Park, now Ellis Park, and held the position until his death.

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POSTAL RATES: Postmaster General Summerfield's book ("U.S. Mail," Holt, Rinehart and Winston, Inc., \$5) came out recently and proved a surprise in that it is practically non-controversial, except possibly from the standpoint that critics may not accept the Summerfield claims that he has succeeded in modernizing the P.O. The PMG asserts that there has been "more dramatic change and improvement" in his seven and one-half years in office "than in all its previous history."

Of 19 chapters and 243 pages, only the final chapter of about 14 pages deals extensively with postal rates and postal policy. Even this chapter contains only warmed-over material, with no new panacea to get the P.O. out of the red. In fact, Summerfield's principal suggestion has been kicking around Congress since before he took office.

This proposal is to establish a downtown rate-making agency, under the PMG. Rep. Katharine St. George (whose first name is misspelled in the book) began proposing such a board long before Summerfield reached the Cabinet. Her bills and others like them have never even received a Congressional hearing. Summerfield embraces this idea, without crediting it to the Congresswoman:

"What I propose is that the complicated and technical process of equitable postal-rate-making be handled by the establishment of an independent commission of rate-making authorities to be known as a 'Board of Postal Rates and Fees.'" Members would be appointed by the President for an indefinite term, and the group would hold hearings and adjust rates "so that postal revenue may approximately equal postal expenses."

"These recommendations, after approval by the Postmaster General, would be reported by him to the Congress whenever he deemed it necessary and desirable and would take effect within ninety days from the date of presentation, providing the Congress did not within that period pass a concurrent resolution stating that it did not favor such changes."

(You will note that while Summerfield calls this commission "independent", it would be independent only of Congress, and would be under the PMG himself. It is a thinly-disguised plan to let the PMG set his own rates. Congress is not likely to buy any such notion.)

Summerfield predicts "this solution, or one like it, will come to pass." He adds: "The accomplishment will come in this instance, I believe, when the American people become fully determined that their postal establishment should be operated on a more nearly self-supporting basis. They will send to the Congress men and women who will

## Washington Notes--

By EDGAR S. BAYOL

see that this is done."

Senator Olin D. Johnston (D., S.C.) is being mentioned as a possibility for Postmaster General, if Senator John F. Kennedy becomes President. Members of the Johnston staff say the legislator would resign his Senate seat to move into the Cabinet. Johnston has been Chairman of the Senate Post Office Committee for many years, and has been instrumental in holding rate increases to a minimum.

Another possibility is that H. William Brawley, Staff Director of the P.O. group and Johnston's campaign manager, may become Deputy PMG.

LIBEL: Two cases affecting news media have been denied hearings in the Supreme Court. Curtis Publishing Company was refused review of a \$10,000 libel verdict won by Maj. Gen. Harry H. Vaughan, former military aide to President Truman, involving a caption under General Vaughan's photograph in the Saturday Evening Post of November 3, 1956.

The article was written by Drew Pearson. The caption read: "Many Pearson charges against Harry Vaughan were later confirmed by testimony before Senate committee." General Vaughan, who asked \$350,000 damages, contended that the caption made it appear that he had been charged with commission of some malfeasance in office.

The Curtis appeal said the case presented a question whether the limited immunity of qualified privilege extends, in a libel suit, "to a statement of fact in the press concerning the conduct in office of a former high public official."

The other case which the Court refused to hear concerned courtroom photography. Thus the ban imposed by an Atlanta judge on picture-taking in the court house or on adjacent streets of anyone involved in a court case remains unchanged. The verdict was attacked by Atlanta Newspapers, Inc., publisher of the Atlanta Journal and Atlanta Constitution. The Georgia Press Association also charged that the ban violated the constitutional right of free speech and press (see another column).

ADVERTISING: Following is a partial text of P.L. 86-781, relating to cooperative advertising allowances on products subject to excise taxes:

"In determining . . . the price for which an article is sold, there shall be excluded a charge for local advertising (as defined in paragraph (4) to the extent that such charge—

(A) Does not exceed 5 percent of the

price for which the article is sold (as determined under this section by excluding any charge for local advertising).

(B) Is a separate charge made when the article is sold.

(C) Is intended to be refunded to the purchaser or any subsequent vendee in reimbursement of costs incurred for local advertising.

(4) Local Advertising Defined. For purposes of this section . . . the term 'local advertising' means only advertising which—

(A) Is initiated or obtained by the purchaser or any subsequent vendee.

(B) Names the article for which the price is determinable under this section and states the location at which such article may be purchased at retail.

(C) Is broadcast over a radio station or television station or appears in a newspaper."

It will be noted that the above language does not define "a newspaper." As previously reported in this bulletin, Treasury officials are studying this question. Proposed rules are expected to be issued before December 1. A public hearing will be held if enough comments are received on the proposals.

While this law was passed in plenty of time for it to take effect last October 1, President Eisenhower deferred signing it until September 14. Since the language of the law calls for a lapse of at least 20 days and for the effective date to be at the start of a calendar quarter, the correct effective date is January 1, 1961, and not October 1, as incorrectly reported previously.

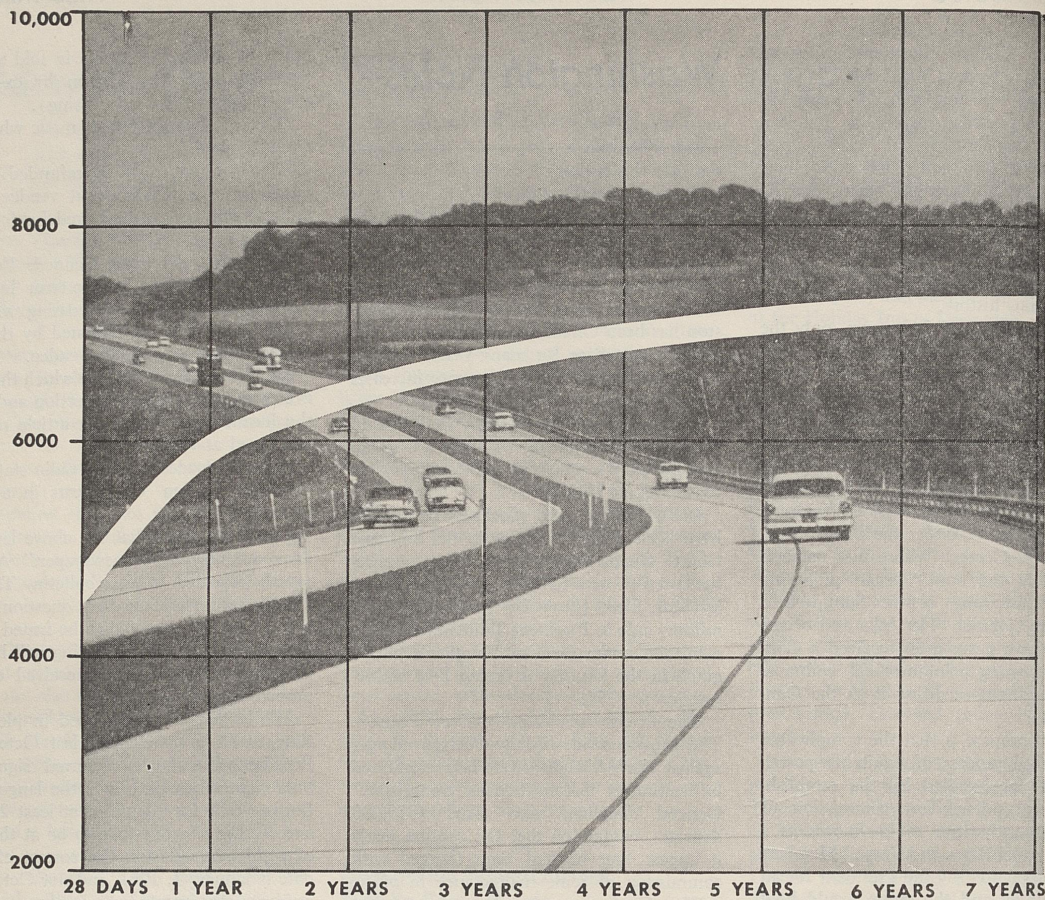
To date, Ed Bayol has received no response to his request to the Secretary of the Treasury that the Post Office definition of "newspaper" be followed by the Treasury. This definition excludes so-called "shopping newspapers" which do not have a paid subscription list.

A "de-inking" process for the restoration of newspaper for its reuse as newsprint has been found successful in a pilot operation at the Manistique Pulp and Paper Co. mill, says Marshall Field, Jr.

Field, president of Marshall Field Enterprises, Inc., said the pilot operation's success could lead to the setting up of a large "de-inking" plant in the Chicago area. Marshall Field Enterprises publishes the Chicago Sun-Times and the Chicago Daily News.

Newsprint is the paper on which newspapers are printed. Field said the de-inking of used paper, a chemical process, was a development of the Newark (N. J.) Evening News. Field said it holds promise for the future of the newspaper industry because of "ever increasing costs" of the industry.





Compressive strength in pounds per square inch

## On the Pennsylvania Turnpike... **CONCRETE** shows a rising curve of strength year by year!

Actual core tests just completed on this pioneer turnpike system again show why concrete lasts so long.

Seven years ago concrete cores cut from the Pennsylvania Turnpike when it was three months old showed an average compressive strength of 5,068 pounds per square inch.

Cores recently cut from the same locations showed a compressive

strength of 7,226 pounds per square inch . . . a gain in strength of 29%!

A basic characteristic of concrete has been proved again. Concrete constantly increases in strength.

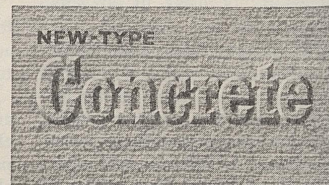
This strength "bonus" is one reason engineers stayed with concrete for all the Turnpike extensions. Concrete is the only pavement that can be mathematically designed to specific traffic load requirements.

With its specially designed sub-bases, today's concrete gives you an expected 50 years and more of safe, smooth driving. No wonder concrete is the preferred pavement for the new Interstate System — and all heavy-duty roads as well!

### PORTLAND CEMENT ASSOCIATION

805 Commonwealth Building, Louisville 2, Kentucky

A national organization to improve and extend the uses of concrete



#### Tabulation Enacted By L

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### Tabulation of Laws Enacted By Last Congress

Following is tabulation of laws of interest to newspapers enacted in second session of 86th Congress up to adjournment September 1.

**Cooperative Advertising:** Bill H. R. 12536 allows manufacturer to deduct from his sales price, for Federal excise tax purposes, that portion paid by him for local (cooperative) advertising up to 5 percent. Law, which overturns 1958 Treasury Dept. ruling that cooperative advertising allowances must be included in selling price, limits local advertising to newspapers, radio and television. It is Public Law 86-781, signed Sept. 14.

**Corporate and Excise Taxes:** Corporate and some excise taxes are continued for another year from July 1 under Bill H. R. 12381, signed by President Eisenhower June 30. It is Public Law 86-564. Law also continues present excise tax on travel, local telephones and telegrams. No Federal tax applies to communications used in collection or dissemination of news for public press, including toll telephone charges. One provision in law directs Joint Committee on Internal Revenue Taxation to make "full and complete investigation and study" of operation and effect of present law, regulations and practices relating to business expense deductions for entertainment, gifts, and related items. Committee is directed to report during 87th Congress.

**Federal Pay Increase:** Bill H. R. 9883 provides approximately seven and one-half percent salary increase for about 1.7 million Federal employees, including postal workers. Bill became law July 1, 1960 over President's veto. It is Public Law 86-568.

**Post Office Operations:** Bill H. R. 10569 provides appropriations for Post Office Department for fiscal year beginning July 1, 1960. Total Post Office Dept. appropriations amount to \$4,007,500,000. It is Public Law 86-561, signed June 30. Law allows only \$49 million as total "public service" costs to cover "loss resulting from the transmission of matter in the mails free of postage or at reduced rates and for the additional cost of transporting mail by foreign air carriers." Congress did not appropriate other public service costs itemized in Postal Policy Act of 1958, such as losses on star route service and small post offices, loss incurred in performing non-postal services such as sale of documentary stamps and special services such as C.O.D., insured mail, special delivery and money orders.

**Postal Laws:** Bill H. R. 2339 provides for codification of all postal laws. It is Public Law 86-682, signed Sept. 2.

**Radio-TV Equal Time:** S. J. Res. 207

suspends "equal time" provision in 1934 Communications Act during the 1960 presidential campaign. This is requirement that a broadcast station giving time to a legally qualified candidate for public office must also afford equal opportunities to all other such candidates. Federal Communications Commission is directed to report to Congress March 1, 1961 its recommendations following experience under the suspension provision. It is Public Law 86-677, signed August 24.

**Regulatory Agencies:** Bill S. 1965 allows members of three Federal regulatory agencies to continue in their positions after their terms expire until a successor has been sworn in. Law applies to Federal Power Commission, Federal Communications Commission, and Securities and Exchange Commission. Continuing service is already provided for outgoing members of Interstate Commerce Commission, Federal Trade Commission and Civil Aeronautics Board. New law provides that additional service of members of the three commissions shall not be longer than end of session of Congress which follows expiration of commissioners' terms. It is Public Law 86-619, signed July 12.

**Social Security:** Bill H. R. 12580 amends Social Security Law. It provides for setting up Federal and State subsidies for medical care of needy persons 65 years and older. Before program can start, it will be up to the states to agree. Federal unemployment taxes on employers will be increased from present 3 percent to 3.1 percent. It is Public Law 86-778, signed Sept. 13.

**Sworn Circulation Statements:** Bill H. R. 6830 provides that all publications entered as second-class mail include sworn statement of average paid circulation in annual Post Office statement of ownership. Law previously required sworn circulation figures from daily, weekly, semi-weekly and tri-weekly newspapers, but not from magazines. It is Public Law 86-513.

### Joins Detroit Press

Mark F. Ethridge, Jr., son of the publisher of the Courier-Journal and Times, has been named assistant to associate editor Royce Howes of the Detroit Free Press. Ethridge joined the staff of the Detroit morning paper this month.

Ethridge was previously a reporter from the London Daily Mail in Scotland and England, editorial page editor of the Newsday on Long Island, and editor of the Raleigh Times in North Carolina.


He has been editor and publisher of the Ravenswood News and several other weeklies in West Virginia. He retains ownership of the News.

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## Georgia Judge Upholds Conditional Privileges

The Atlanta Journal and Constitution has recently been involved in a new facet of the contempt of court regulations. The facts of the case are these:

The defendant, on trial in a robbery case, had a previous record of convictions. The Atlanta newspapers reported these convictions, in dealing with the present case, but only after the jury had been impaneled.

The original contempt case against the newspapers was tried before the Georgia Superior Court out of which the newspapers were held in contempt of court with a fine of \$20,000.

The case was then appealed to the Georgia Supreme Court which reversed the decision of the lower court. The high court unanimously concluded that the newspapers were within their rights to publish the previous arrest record of the defendant in a criminal case, overruling the lower court's conclusion that the publication of such news stories was prejudicial to the defendant.

The high court's lengthy ruling, written by Justice Carlton Mobley, recognized that exercise of freedom of speech and press "must be compatible with the preservation of other freedoms" and that "the independence of the judiciary and the fair and impartial administration of justice are also necessary to a free society."

In its opinion, the Supreme Court said:

"The determination of the proper balance between the two basic constitutional rights—freedom of the press and fair and impartial administration of justice—as applied to the facts in this case is our problem.

"The press should be given the widest latitude possible in the exercise of its freedom that is consonant with the orderly administration of justice, trial by a fair and impartial jury and the freedom and independence of the courts in the exercise of their constitutional rights and duties. . . .

"A responsible press, appreciating as it must the great power of the press in a democratic society, should refrain from publishing and distributing news articles which, in the normal course of events would, or which it could reasonably anticipate would, interfere with the trial of a criminal case by an impartial jury. . . .

"In this instance the article did not appear until after the jury had been impaneled and the trial had proceeded to the greater part of a day. The law required that a jury in a criminal case be kept together until the conclusion of the trial . . . unless counsel for both sides agree otherwise . . . and then only after the court's admonishing

## That's What The Judge Said - - -

By L. Niel Plummer, Director  
U. of K. School of Journalism

For one reason or another, including a little matter about some public printing, the editor and an attorney, who was formerly a city official, found each other to be more or less obnoxious, one to the other, back in the good old years of 1904-1905. It is not particularly surprising, then, that the editor seldom missed a chance to take a printed swat at the attorney; the attorney graciously retaliated with a number of suits for libel, and now in the case at hand, he is the winner of a verdict for \$1,000 from which the newspaper company has appealed. Carefully the Court of Appeals sifted through the ashes of the long-burning bonfire of words and it came forth with the following pronouncements:

1. A newspaper article headed "suit unauthorized" and falsely charging that an attorney unauthorizedly sued in another's name, is libelous.

2. A written or printed publication, false, defamatory, and tending to expose one to ridicule or contempt, or render him odious, or injure him in his business or calling or in his social standing, is a libel.

3. A newspaper article referring to an attorney as a "fellow with a license to practice" and as being popular with ex-city prisoners, and drawing much clientele from such quarters, is libelous.

4. A newspaper article falsely charging that an attorney "got" another to let him file a

suit for him is libelous, as, in effect, charging unprofessional conduct.

5. In a libel or slander action any other words written or spoken by the defendant of the plaintiff before or after those sued on are admissible to show defendant's animus, whether they be themselves actionable or not . . . if they in any way tend to show the defendant's malice at the time of publication.

Additionally the court remarked:

"No self-respecting lawyer would care to be referred to as 'the lawyer, or fellow with a license to practice.' Such reference could not fail to bring contempt, ridicule, and ill-repute to the one so spoken of. The article also contains the information that (the plaintiff) was the friend and companion of criminals, and that, by reason of this intimacy and popularity with them, he secured a large part of his practice. There can be no doubt that this article was libelous. . . . When, therefore a news article charges an attorney with soliciting business, we necessarily conclude that it is libelous. Its effect is to charge him with unprofessional conduct."

The Court of Appeals affirmed the lower court's decision in favor of the attorney.

\* \* \*

33 Ky. Law Rep. 840; 111 S.W. 693.

Next month: The case of the joining of three shooting incidents.

the jurors that, not only should they not communicate with anyone about the case or permit anyone to communicate with them about it, but that they should not read newspaper articles or listen to radio or television broadcasts about the case, or, if necessary, not to read newspapers or listen to radio and television at all during recess.

"It is common knowledge that this is the usual practice in this state. In our opinion, the defendant newspaper corporation would not be required to have reasonably anticipated that the publication and distribution of the articles in question would have to come to the attention of the jurors or have interfered with the trial of the Meriwether case by an impartial jury; for they had a right to expect that the jury would have been kept together until the conclusion of the trial or otherwise properly instructed upon being permitted to disperse."

## Dalton Leaves Newspapering

Neil Dalton, public relations director for the Courier-Journal and Times, WHAS and WHAS-TV has resigned to become the president of the Louisville Water Company.

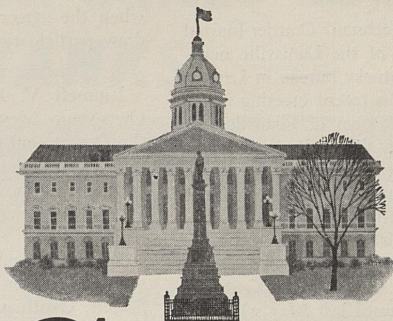
During the 43 years Dalton was associated with the Louisville newspaper, he held jobs ranging from copy boy to city editor, managing editor, assistant to President Barry Bingham, and finally director of public relations.

Besides these he has also held numerous civic and public offices over a period of many years. They include Washington posts with the office of War Information, the office of Foreign Liquidation, the Economic Cooperation Administration, and Louisville and Kentucky posts with Red Cross, Civil Defense, Community Chest and many other organizations.



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# Capitals?

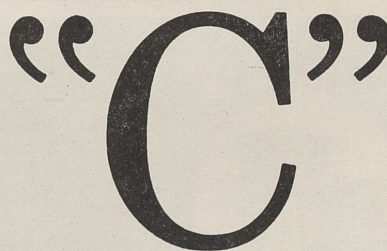


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**Gerald Griffin Honored**

Gerald Griffin, veteran Courier-Journal newsman and head of the Louisville newspaper's Central Kentucky bureau in Lexington, was honored at a recent meeting in his former headquarters town of Pikeville. At the annual Kiwanis Club dinner, Griffin was cited by civic leaders for his service in interpreting Eastern Kentucky to the rest of the state and nation. He was also presented with a transistor radio by the Pikeville Chamber of Commerce.

He had headed the Eastern Kentucky bureau since 1950 until last May when he was transferred to Lexington after the death of Joe Reister.

With IPPAU in general encouraging locals to drive for more publisher participation in the IPPAU-Employer Retirement Fund, it is significant that members of Pomona (Calif.) Local No. 320 of IPPAU employed at the San Gabriel Valley Tribune recently requested, during contract negotiations, that the 75c per shift contribution made by the newspaper to the pension fund since October, 1955 be added to scale. Management agreed and while International approval has not been received as yet, it is presumably forthcoming since International Representa-

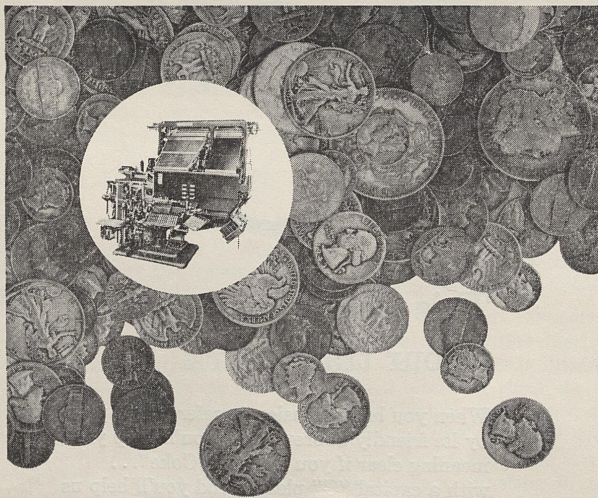
tive Ed Balsez was sitting in on negotiations when the agreement was reached to withdraw participation from the pension fund.

Emmett V. Rogers, formerly with the Owensboro Messenger-Inquirer, has joined the Department of Public Safety, Frankfort, in a public relations position. A specialist in county government, he had served the Owensboro newspaper as a reporter for the past five years.

Rogers is a native of Lexington and the son of a former state representative, Lloyd Rogers, Cynthiana.

*(Continued From Page One)*

gained from The News have been worth all the time, effort and expense expended on this project. I note many changes and improvements, such as: 1. The students gained confidence, 2. Group tolerance is noted, 3. Poise is indicated, 4. New leaders are emerging, 5. New cultures are respected, 6. Respect of differences is seen, 7. News is tolerated, 8. Thrift is respected, 9. Fact finding can be detected, 10. Brotherly love and a religious growth is seen, 11. Our culture is given more thought, and 12. New interest in medicine, especially psychiatry, and its use for mental ills, is noted."



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# THE KENTUCKY BETTER ROADS COUNCIL SAYS "THANKS"

Since 1956

—when you approved the first Highway Bond Issue—you have seen the greatest road-building program in Kentucky's history. Every county in Kentucky has benefitted from this tremendous undertaking.

## 1956 BOND MONEY, FEDERAL FUNDS AND RELEASED FUNDS

To July 1, 1960

	MILES	DOLLARS
Primary Farm-To-Market	248	\$ 54,075,146
Urban	789	42,912,080
Interstate	17	10,395,550
State Rds.	127	113,364,550*
	260	6,000,000
	<b>1,441</b>	<b>\$226,747,326</b>

\*Only \$11,336,455 of this amount was State money.

... to the newspapers of Kentucky for the editorial support they are giving the \$100 million Kentucky Highways and Parks Bond Issue on which the citizens of the Commonwealth will vote November 8 ...

"Passage of the \$90 million road and \$10 million park bond issue ... (assures) a continued accelerated program during the period ahead."  
Allen County News  
Scottsville

"... Unless Kentuckians provide the funds for road expansion and improvement (by voting to issue the bonds), they will find themselves traveling roads ... extremely dangerous to use."  
Sun-Democrat  
Paducah

"Southeastern Kentucky stands to benefit perhaps more than any other part of the state from the bond issue. This is why the bond issue deserves the support of this area."  
The Middlesboro Daily News  
Middlesboro

"We hope that the people, when they go to the polls next election day, will express the same measure of confidence in their state government as they did back in 1956 when the original \$100 million of highway bonds were voted."  
The Kentucky Post and Times-Star  
Covington

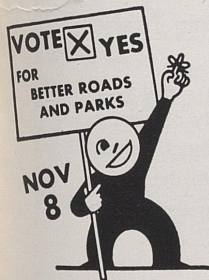
"... This is no partisan matter, since everyone in Kentucky is affected by highways."  
News-Herald  
Owenton

"There is absolutely no other alternative—we must vote yes November 8 ..."  
The Cynthia Democrat  
Cynthiana

"Kentucky as a state and we as a county can move forward if we will take advantage of what is now before us. The bond issue must be approved this fall if we are to keep in step with the other states in the category of roads and parks."  
Tri-City  
Cumberland

"... That money (the 1956 bond issue) has served Kentucky well. But much more remains to be done ..."  
Floyd County Times  
Prestonsburg

For these and many other fine editorials ... thanks again.

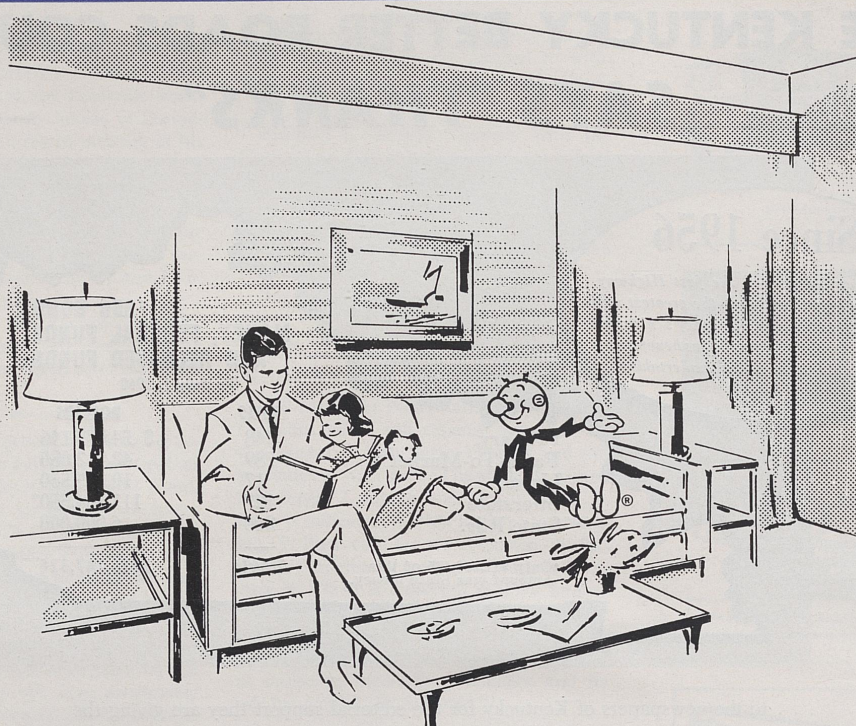


We hope the newspapers of Kentucky will continue to use their great influence in their communities toward the passage of this vital and far-reaching measure.

## VOTE "X" Yes For Better Roads And Parks Nov. 8

The Kentucky Better Roads Council





## When it's better community living you want— let us help

A great many Kentucky communities are feeling the welcome effects of the 300 new industries that have located in Kentucky since 1955. They have brought more jobs, bigger payrolls, more construction and home building—more business for everyone.

New prosperity anywhere in Kentucky helps your community, too, but chances are you'd prefer it in your home town. *You can help.*

It takes everyone in town working together—industrial development foundations,

chambers of commerce, newspapers, and all the people working wholeheartedly with their utilities, the railroads, and state organizations to provide a business climate attractive to new industry.

You can count on KU to help—with technical service and advice, with plenty of electric power, with assistance in modernization of street and store lighting, with programs to determine what new industry you want, and finally, to help bring them in. Call on us.

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