

The Kentucky Press

October, 1956

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☆☆☆ National ☆☆☆
NEWSPAPER WEEK



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School of Journalism
University of Kentucky
Lexington

Official Publication Kentucky Press Association

Kentucky Press Service, Inc.

One-Way Route Service

Through the one-order, one bill, one check plan

KPS is equipped to give service to the advertiser and agency from the time a budget is being made until the last statement is paid.

For the past thirteen years we have been giving the following services:

- assisting in making up a budget
- assisting in choosing a string
- issuing individual contracts
- issuing individual insertion orders
- mailing mats, plates or copy
- furnishing requested proof of publication
- rendering blanket itemized statements
- paying the individual publishers
- handling all details and correspondence

and doing every other thing within reason to insure satisfactory service and obtain best possible advertising returns. We check for position, press work, and make suggestions to our publishers on more effective placement.

Without exception we have enjoyed our working relations with the agencies using our service—we invite the continuance of these working plans and also invite the inquiries of agencies who have never accepted our offer for simplifying entry into the newspapers of Kentucky.

No space under 5 inches accepted, unless for continuous run.

THE AGENCY who uses our office for clearing

- issues one contract to KPS
- issues one insertion order to KPS
- supplies string of papers
- supplies mats, plates or copy
- pays the bill to KPS in one check less agency discount.

THE AGENCY PAYS NOTHING FOR THIS SERVICE

THE AGENCY AND ADVERTISER

- receive full credit on each contract and insertion order the same as if the agency issued the orders

KPS will not knowingly extend any of its services to unrecognized advertising agencies or advertisers, nor will it knowingly accept advertising which might unfavorably involve the publisher, his newspaper, his readers, or his advertisers.



KPS does not offer special group rates. Space users may select from the Rate Book any particular group, or use the entire list, dailies and weeklies. Through arrangement we service border counties in Indiana and Ohio, and cooperate with the Tennessee Press Service in servicing border Tennessee counties. Compensation in lieu of group rate is received from routing your advertising schedules through the one-order plan it saves the agency large overhead office expense.

KPS is an affiliate of Weekly Newspaper Representatives, Inc., which organization is the only authorized national advertising representative of our Kentucky weekly publishers. National advertising schedules placed with Weekly Newspaper Representatives for the state of Kentucky are cleared direct to our newspapers through KPS with the absolute minimum of time lag. WNR has service offices in Detroit, Chicago, Philadelphia, with the main office at 920 Broadway, New York 10, New York. WNR offers the same one-order plan for national coverage.

Three Easy Steps: KPS will help select product markets, give market surveys, and help plan any campaign to cover. 2. KPS assumes the time consuming order-checking detail of scheduling; it renders one invoice and proof tearsheets at the end of each month. 3. One receipt of agency's monthly disbursing check, KPS pays its newspapers by monthly check.

Legitimate advertising agencies and national advertisers are urged to use the services of KPS; to advise with KPS on all affairs of mutual concern.

The Newspaper Industry Under The Amended Wage-Hour Law

By Newell Brown, Administrator
Wage and Hour and Public
Contracts Divisions

On March 1, 1956, the minimum wage under the Fair Labor Standards Act became \$1.00 an hour. This new minimum, set by the Fair Labor Standards Amendments of 1955, takes the place of the previous 75-cent rate.

While considering their pay practices in the light of the new minimum, many employers in the newspaper industry might find it to their advantage to review the other provisions of the Act, which is popularly known as the Federal Wage-Hour Law. According to the U. S. Department of Labor's Wage and Hour and Public Contracts Divisions, the agency which administers the law, most violations are unintentional, and arise from an employer's failure to understand fully the statutory requirements. Briefly put, the basic provisions require:

A MINIMUM WAGE of \$1.00 an hour, beginning March 1, 1956;

OVERTIME PAY OF at least time and one-half the employee's regular rate for all hours worked over 40 a week;

A MINIMUM AGE of 16 years for most jobs, and 14 for a few jobs. In addition, there is an 18-year age minimum for work in occupations designated hazardous by the Secretary of Labor.

Except for the new minimum wage, the application of the law to the newspaper industry remains the same as before enactment of the 1956 amendments.

WHO IS COVERED?

The Federal Wage-Hour Law continues to apply to employees who are engaged in interstate commerce or in the production of goods for interstate commerce, except those who are specifically exempt.

There is little question as to the general applicability of the Federal Wage-Hour Law to employees in the newspaper industry as a whole. Most newspapers receive some items from wire services and other out-of-state sources, and employees who receive or edit such items are covered by the Act. Coverage also exists on the basis of regular and recurring out-of-state circulation, regardless of the number of newspapers shipped out of state or the percentage of the firm's circulation which such shipments may represent. It should not be forgotten that the newspaper's interstate activities bring its clerical employees, sales force, shipping, transporta-

tion and delivery workers, and janitors, porters and other maintenance employees, within the coverage provisions.

All covered employees are entitled to the statutory benefits, unless a specific exemption applies.

WHO IS EXEMPT?

Employees of certain small newspapers are exempt from the minimum wage and overtime pay provisions. Exemptions from the minimum wage and overtime provisions, or from the overtime provisions only, may be taken by newspapers in general for employees in certain categories of employment. A child-labor exemption is also available for specified employees.

Small Newspaper Exemption—The law provides an exemption from both the minimum wage and overtime pay provisions for employees employed in connection with the publication of any weekly, semiweekly, or daily newspaper with a circulation of less than 4,000, the major part of which circulation is within the county where printed and published, or in contiguous counties. This holds true even if the contiguous counties are across the state line.

An employee need not spend all his time on work directly necessary to the publication of such a newspaper for the exemption to apply. He will still be considered exempt if he spends no more than 50 percent of the workweek in "related work," such as job printing, some part of which is for interstate commerce. Job printing is considered related work because it is typical of small newspapers. An employee will not be exempt if he spends any time during a workweek in connection with the publication of a newspaper which does not come under the exemption.

Some firms may publish two newspapers, each with circulation of less than 4,000 but whose combined circulation is in excess of this figure. If the two publications are separate and distinct papers, each may be treated separately for the purpose of the circulation test. If, however, the papers have virtually the same contents but merely carry different mastheads, they are to be regarded as one and the same newspaper. In such a case, the total circulation of both papers must be considered in determining whether the exemption applies.

It is important to note that the employees of a printer who merely print the newspaper for the publisher are not within the exemp-

tion. The exemption can be taken only by publishers of newspapers meeting the exemption tests on circulation.

"White-Collar" Exemptions—Another type of exemption provided by the law is a minimum wage and overtime pay exemption for employees engaged in a bona fide EXECUTIVE, ADMINISTRATIVE, or PROFESSIONAL capacity, or as an OUTSIDE SALESMAN as defined in regulations, Part 541, issued by the Administrator of the U. S. Department of Labor's Wage and Hour and Public Contracts Divisions.

Employers should avoid the all-too-common fault of assuming employees are exempt because they have impressive job titles or are paid a good salary. For exemption to apply, the individual's duties must meet a series of tests listed in the regulations.

Among the basic requirements for exemption are the following:

(1) An EXECUTIVE employee's primary duty must be the management of the enterprise, or of a recognized department or subdivision. Such employees as managing editors, news editors, city editors, etc., usually qualify for the exemption, provided each supervises a separate and customarily recognized division of the editorial department charged with specific editorial or newsgathering functions, and each has a group of employees engaged in the functions of the department directly under him. Of course, the employee is not exempt unless he also meets the rest of the tests for the executive exemption.

(2) An ADMINISTRATIVE employee must primarily perform office or nonmanual field work of substantial importance to the management or operation of the newspaper. Usually, employees who are administrative officers of the "staff" type are included under this exemption.

(3) A PROFESSIONAL employee must primarily perform work requiring advanced knowledge in a field of science or learning, or perform creative work in an artistic field. Questions have arisen concerning the status of newspaper writers in regard to this classification. It is the Divisions' position that newspaper writers, with possible rare exceptions in certain technical fields, are not considered exempt as professional employees. Newspaper writing of the exempt type must be "predominantly original and creative in character," and only writing which is analytical, interpretative or highly individualized is considered to be creative in nature. The reporting of news, the rewriting of stories received from various sources, or the routine editorial work of a newspaper is not predominantly original and creative in character within the meaning of the regulations and must be considered as nonexempt work.

(4) An OUTSIDE SALESMAN must be engaged to sell, away from his employer's place of business. Advertising salesmen and "circulation solicitors" are included under this exemption. However, the latter will not qualify for exemption as an outside salesman unless he is primarily engaged in soliciting and taking orders for the paper, as distinguished from the "promotion" of sales.

It is not necessary that an employee spend every hour of his workweek in the specified duties. A 20-percent tolerance is allowed. For the EXECUTIVE, ADMINISTRATIVE or PROFESSIONAL employee, the tolerance is measured by the time which he himself spends in a workweek in nonexempt activities. The time devoted to nonexempt work by OUTSIDE SALESMEN may not exceed 20 percent of the hours worked in the workweek by nonexempt employees of the employer.

There are also salary tests for exemption of executive, administrative and professional employees, but not for outside salesmen. At the present time, in light of recent economic trends, changes in these salary requirements are being considered. Should they be revised, the Divisions will make a public announcement and the new tests will be published in the Federal Registrar. In the meantime, for exemption purposes, salary tests remain as they were.

For the EXECUTIVE exemption, the employee must be paid on a salary basis of at least \$55 a week (or \$238.33 a month.) For both ADMINISTRATIVE and PROFESSIONAL employees, the test is \$75 a week (or \$325 a month) on a salary or fee basis. For employees who are paid on a salary basis of at least \$100 a week, there are shorter duties tests for exemption in each of the three categories of employment. These tests also are contained in the Administrator's regulations, Part 541.

Exemption for Delivery of Newspapers—Neither the minimum wage, overtime pay, nor child-labor provisions apply to employees engaged in the delivery of newspapers to the consumer.

Motor Carriers Exemption—If the newspaper employs drivers, drivers' helpers, mechanics, and loaders, they may be exempt from overtime pay requirements (but not from the minimum wage requirement) of the Federal Wage-Hour Law, under certain circumstances. These require: (1) that the employer be under the hours-of-work jurisdiction of the Interstate Commerce Commission under section 204 of the Motor Carrier Act; and (2) that the employees are engaged in activities of a character directly affecting the safety of operation of motor vehicles transporting goods in interstate commerce on the public highways.

It should be noted that the transportation of newspapers within the state where they are printed and published for delivery and sale to readers in that same state is not interstate transportation subject to the Motor Carrier Act. Therefore employees engaged in such transportation activities, though covered by the Federal Wage-Hour Law, are not exempt under the motor carrier exemption.

On the other hand, the employer who picks up his material and supplies out of state, or from a terminal upon their arrival from outside the state, and while they are still in interstate commerce, and brings them to his plant in his own truck, does not have to meet the overtime pay requirement of the Wage-Hour Law for his drivers who perform such functions for him. The motor carrier exemption also applies to drivers who transport papers to another state or to terminals from which the papers are shipped out of the state.

A driver's helper—an employee other than a driver who is required to ride on a motor vehicle when it is being operated in interstate commerce and to assist the driver in ways which affect the safe operation of the truck—is also within the exemption. A mechanic is exempt from the overtime provisions if he does work on his employer's truck directly affecting its safe operation (on public highways) in interstate commerce.

The overtime pay exemption for loaders applies only to those employees who actually exercise discretion in placing and distributing freight on motor vehicles of the employer so as to affect directly their safe operation on the public highways in interstate commerce. Unloading is not an exempt activity.

If an employee as a regular part of his job is called upon in the ordinary course of his work to perform safety affecting activities as described, he comes within the exemption in all workweeks when he is employed at that job. This holds true even though in a particular workweek he may not actually engage in any duties directly affecting "safety of operation."

Detailed information on how the exemption applies is contained in the Division's interpretative bulletin, Part 782, on Motor Carriers.

SOME OVERTIME PAY PROBLEMS

The Federal Wage-Hour Law does not require that an employee be paid each week. An employer may make his wage and salary payments at other regular intervals, such as every two weeks, every half month, or once a month. What the Act does require is that both minimum wage and overtime pay be computed on the basis of hours worked each workweek, standing alone. Thus the employer cannot eliminate the obligation to

pay overtime, or the minimum wage rate, by averaging the hours of work over two or more workweeks.

Before overtime pay can be computed it is necessary to determine the employee's regular rate, since the law requires payment for overtime hours at not less than one and one-half times the regular rate of pay. The regular rate is defined in the Act to include all remuneration for employment, except certain statutory exclusions. It may be more than the minimum wage, but cannot be less. Should an employee's regular rate fall below the minimum, the employer must make up the difference and compute overtime pay on the basis of at least \$1.00 an hour (as of March 1, 1956).

The Divisions on occasion find employers who fail to compensate piece workers properly for their overtime hours. Overtime pay for piece workers may be figured on the regular rate determined by dividing the total piece-rate earnings for the workweek by the number of hours worked. The employee is entitled to payment of one-half this regular rate for each hour over the 40th, in addition to his full piece-work earnings. There is also an alternative method. If the employer and employee agree to it in advance, the piece workers may be paid for work during overtime hours at one and one-half times the piece rates actually paid for the same work during nonovertime hours. Of course, such piece rates must be enough to yield the minimum wage.

Office employees and other salaried workers are sometimes found to be owed overtime compensation as a result of the employer's paying them a fixed salary no matter how many hours they work.

The computation of overtime pay when employees are paid a weekly salary for a fluctuating number of hours presents little difficulty. If the weekly salary is paid for whatever number of hours are worked in the week, the regular rate in a given week is determined by dividing the weekly salary by the number of hours worked in that workweek. In these circumstances, the regular rate will vary from week to week, but it must in no event be less than the statutory minimum. For each hour worked over 40 in any workweek, the employee is entitled to half the regular rate for that week, in addition to his weekly salary.

If the salary is paid for a workweek of 40 hours, the employee's regular rate is his salary divided by 40. For hours worked in excess of 40 in a workweek, the employee is entitled to time and one-half that regular rate, in addition to the weekly salary.

If a salary is paid on other than a weekly basis, the weekly pay must ordinarily be determined in order to compute the regular rate

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and overtime pay. For instance, if the salary is paid for a half month, multiply by 24 and divide the product by 52 to get the weekly equivalent. A monthly salary should be multiplied by 12 and the product divided by 52.

CHILD LABOR

The law sets a minimum age of 16 for general employment and 18 for work in jobs declared hazardous by the Secretary of Labor. Children of 14 and 15 years may be employed in a few jobs, outside school hours and under strict limitations. The 14- and 15-year-old may work at newspaper stuffing, when done outside a workroom in which printing or processing takes place, and in mail room occupations, such as bundling, typing and addressing, and in office or sales work. But a young person must be at least 16 years of age to work at any job in rooms or work-places where manufacturing or processing operations are performed.

When employing children of 14 and 15, the following rules must be observed: (1) The child must work no more than three hours on a school day and no more than eight hours on a non-school day; (2) he must work no more than 40 hours during a week when there is no school, and no more than 18 hours in a week during any part of which school is in session; (3) all work must be performed between 7 a.m. and 7 p.m.

Newspaper publishers should also note that hazardous occupations orders setting an 18-year age minimum apply to work as a motor-vehicle driver or helper, work as an elevator operator and jobs involving riding on freight elevators (unless the elevator is operated by an assigned operator), and occupations involving the operation of certain power-driven paper-products machines, including the platen printing press.

As already mentioned, neither the child-labor provisions nor the minimum wage and overtime pay provisions apply to children who deliver newspapers to the consumer.

The Federal Wage-Hour Law directly prohibits the employment of boys and girls below the minimum ages in interstate commerce, or in the production of goods for interstate commerce—including any closely related occupation or process directly essential to such production. It also prohibits the shipment or delivery for shipment in interstate commerce by any producer, manufacturer, or dealer of any goods produced in establishments in or about which minors have been illegally employed within 30 days prior to the removal of the goods.

Failure to comply with the child-labor provisions can result in penalties. Employers can protect themselves against unintentional violation of the child-labor provisions by requiring, and keeping on file, a certificate of age for each young employee. Age or em-

ployment certificates issued under state child-labor laws are accepted as proof of age in all states except Idaho, Mississippi, South Carolina, and Texas, where Federal certificates are issued.

WHAT RECORDS MUST BE KEPT?

Under the Federal Wage-Hour Law, employers are required to keep records on wages, hours, and certain other specified items that most employers keep for their own information. No special form or order for the records is necessary.

The records that are to be maintained for exempt employees differ from those required for nonexempt employees.

Payroll records and certain other data must be kept for at least THREE YEARS from date of entry. Supplementary records, such as time sheets and time cards, need be kept only TWO YEARS. Employers may keep microfilm copies of their records, provided facilities are made available to inspect the film and the employer is prepared to make any transcription of the information contained on the film, if requested by the Divisions.

Complete information of what data should be recorded is available in the Divisions' record-keeping regulations, Part 516.

POSTER MUST BE DISPLAYED

Firms that have covered employees are required to display a poster where employees can readily see it. This poster, which briefly outlines the law's provisions, may be obtained free from the Division's nearest office.

IT PAYS TO KNOW THE LAW

It is a sound dollars-and-cents proposition for every employer to be sure that he is complying with the Act. Most of those employers who have had to make unexpected payments of back wages to their employees have found themselves in this situation because they were not fully informed about the statutory requirements.

The Federal Wage-Hour Law provides three methods of recovering back pay due. (1) The Divisions' Administrator may supervise the payment of back wages for employees, under certain circumstances. (2) On the written request of employees, the Secretary of Labor may bring suit against employers to recover back wages. However, employees who consent to suit by the Secretary on their behalf cannot recover statutory liquidated damages. (3) Employees may bring suit to recover back pay and liquidated damages equal in amount to the wages withheld, plus attorney's fees and court costs. The employee may not bring suit if he has been paid back wages under the Administrator's supervision, or if the Secretary sued for him.

WHERE TO OBTAIN INFORMATION

The simplest way to avoid inadvertent violations of the Fair Labor Standards Act

is to consult the U. S. Labor Department's Wage and Hour and Public Contracts Divisions on any doubts. Inquiries are answered by mail, telephone, or in person-to-person interviews, at any regional or field office. These offices also supply the Division's publications free of charge. Nearest regional offices are located in Cleveland, Chicago, and Nashville. There is a field office in Louisville.

Mrs. Beatrice Wallace Succumbs At Cadiz

It is with regret that the Press learns of the death of Mrs. Beatrice Stagner Wallace, managing editor of the Cadiz Record for the past fourteen years. Mrs. Edith Lawrence is publisher-owner of the Record, a paper that was established by her husband, John Lawrence.

Mrs. Wallace, long a staunch member of the Kentucky Press Association, died September 26, following complication resulting from a Caesarean section on Tuesday.

The Association extends its sympathies to the surviving husband and infant child, and sorrowing family.

Pioneer-News Associate Dies At Shepherdsville

Allen R. Hawkins, Jr., co-publisher and associate editor with Mrs. Anna B. Hawkins of the Shepherdsville Pioneer News, died Sunday, September 30, at the Veterans Hospital, Louisville. He was 48 years old and a veteran of World War II. Mr. Hawkins has been associated with the Pioneer-News since 1934 and was an investigator for the State Department of Public Safety. He held many positions of public trust in Bullitt county, serving as sheriff from 1950 to 1954. The Press extends the sympathy of its membership to Mrs. Hawkins, a daughter, Barbara Jo, and his surviving relatives.

Humanize — personalize — dramatize your sales story.

We have frequently called attention to the fact that many papers do a very sloppy job on those papers going out to subscribers in single wrappers. Do you ever check on the mailing room boys? Some publishers make certain that their single wraps are glued so that parts of the paper are not torn off. TRY THIS! Instead of using wrapping paper that is square at top, they clip off a bit of each corner. Then when the glue goes on it can only smear that part of the wrapper that will be glued to another part of the wrapper and NOT the newspaper itself.

The Kentucky Press

Official Publication

Kentucky Press Association, Inc.
Kentucky Press Service, Inc.

Victor R. Portmann, Editor

Perry J. Ashley, Associate Editor

Member

Kentucky Chamber of Commerce
Sustaining Member

National Editorial 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.

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Alfred S. Wathen Jr., *Vice-President*

Kentucky Standard, Bardstovon

Victor R. Portmann, *Secretary-Manager*

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Again In Business

With this issue The Kentucky Press resumes publication and will be issued every month. It will appear on the desks of every newspaper in Kentucky. We plan to make it informational and instructive in presenting articles that will help in all phases of newspaper and printing production. We invite our readers to submit news and feature articles on topics concerning the industry, both front and back office. Your suggestions on informational material to be carried in its columns will always be appreciated.

The Canons Of Journalism Should Be Rededicated

During National Newspaper Week it is well that the press rededicate themselves to the high principles of journalism as set forth in the "Canons of Journalism", written by the founders of the American Society of Newspaper Editors almost 35 years ago. It is to the credit of our country's press that most publishers follow this ethical code without question and without prompting; it has been an encouraging sign of accepted responsible journalism in this twentieth century. So we should rededicate ourselves to these principles this National Newspaper Week. The Canons read:

I. RESPONSIBILITY—The right of a newspaper to attract and hold readers is restricted by nothing but considerations of public welfare. The use a newspaper makes of the share of public attention it gains serves to determine its sense of responsibility, which it shares with every member of its staff. A journalist who uses his power for any selfish or otherwise unworthy purpose is faithless to a high trust.

II. FREEDOM OF THE PRESS—Freedom of the press is to be guarded as a vital right of mankind. It is the unquestionable right to discuss whatever is not explicitly forbidden by law, including the wisdom of any restrictive statute.

III. INDEPENDENCE—Freedom from all obligations except that of fidelity to the public interest is vital.

1. Promotion of any private interest contrary to the general welfare, for whatever reason, is not compatible with honest journalism. So-called news communications from private sources should not be published without public notice of their source or else substantiation of their claims to value as news, both in form and substance.

2. Partisanship, in editorial comment which knowingly departs from the truth, does violence to the best spirit of American journalism; in the news columns it is subversive of a fundamental principle of the

profession.

IV. SINCERITY, TRUTHFULNESS, ACCURACY—Good faith with the reader is the foundation of all journalism worthy of the name.

1. By every consideration of good faith a newspaper is constrained to be truthful. It is not to be excused for lack of thoroughness or accuracy within its control, or failure to obtain command of these essential qualities.

2. Headlines should be fully warranted by the contents of the articles which they surmount.

V. IMPARTIALITY—Sound practice makes clear distinction between news reports and expressions of opinion. News reports should be free from opinion or bias of any kind.

1. This rule does not apply to so-called special articles unmistakably devoted to advocacy or characterized by a signature authorizing the writer's own conclusions and interpretation.

VI. FAIR PLAY—A newspaper should not publish unofficial charges affecting reputation or moral character without opportunity given to the accused to be heard; right practice demands the giving of such opportunity in all cases of serious accusation outside judicial proceedings.

1. A newspaper should not invade private rights or feeling without warrant of public right as distinguished from public curiosity.

2. It is the privilege, as it is the duty of a newspaper to make prompt and complete correction of its own serious mistakes of fact or opinion, whatever their origin.

VI. DECENCY—A newspaper cannot escape conviction of insincerity if while professing high moral purpose it supplies incentives to base conduct, such as are to be found in details of crime and vice, publication of which is not demonstrably for the general good. Lacking authority to enforce its canons the journalism here presented can but express the hope that deliberate pandering to vicious instincts will encounter effective public disapproval or yield to the influence of a preponderant professional condemnation.

For ten years, Landon Wills has been exchanging his Calhoun News with the Media, apolis, Iowa, New Era. Last week, Walden T. Smith, the Iowa editor, entered Landon's office and delivered his paper personally. It was the first time that the two pen pushers had met. Their papers have the same format and they enjoyed trading office and mutual interest trade secrets. Mr. Smith was on a vacation tour of Tennessee and Kentucky.

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Ohio Looks Ahead On New Open Public Meetings Law

Ohio daily and weekly newspapers have been giving excellent publicity to the new "open meetings" law which went into effect September 30. Nearly every newspaper in the state has carried a news story, editorial, or column about the new law and what it seeks to do.

The law, which was sponsored by the Ohio Newspaper Association and its Freedom of Information Committee, is another dividend in that its passage was the result of united Association action and support. Operation of the law will now depend upon how carefully newspapers check on compliance with it.

Several questions or comments about the law have been raised editorially throughout the state:

1. Does the new law apply to city and village councils? (Originally the bill as introduced in the Ohio General Assembly referred to any board, commission, agency or authority. Later the words "legislative body" were also inserted to insure reference to local law-making authorities, although the original reference to "authority" normally is considered as covering local law-making bodies. When objection by legislative leaders arose to insertion of "legislative body," it was deleted. It was certainly the intent of the legislature to include city and village councils, since they are "authorities" as are boards of education, township trustees, and county commissioners.)

2. How can the press be notified of special meetings called suddenly without general notice and at other than the regular meeting time? (This is a local problem which must be handled by individual newspapers. Best way will be to obtain an arrangement with all public bodies for notice to the press, and consistent violation of such arrangement should call for editorial expression.)

3. How can prompt recording of minutes of meetings be obtained? (Again, this is a local problem to be handled differently by individual newspapers. The press should encourage immediate recording of meeting minutes as a public duty and as a protection for the public bodies taking official action in having such action properly and correctly stated to the public.)

4. How can more public attendance be encouraged at public meetings? (While it is generally true that there is much public apathy about most public problems and actions, and therefore little active interest and attendance by the general public at public meetings, the press has the great duty and public service responsibility of sitting in on public meetings for the general public and

Mailing Extra Copies; Advice On Single Wraps

Mailing extra copies of newspapers as promotion by an advertiser can be done. This question was asked by a publisher with an advertiser who was running a grand opening ad and wishes to mail 1000 extra copies. Consultation with postal officials produced the suggestion:

Obtain a third class permit from the post office and explain plans for mailing the extra copies. The permit costs \$10 and is good for a year. Copies can be mailed third class for 1½ or 2½ cents per issue, depending upon weight. After the regular press run to cover the subscription lists, stop press and remove the portion of the masthead stating the publication is mailed under second class; replace with filler. At the same time insert mailing permit information for third class. Then run extra issues. Postmasters can give information about location of third class permit. Every opportunity to print a blanket coverage issue is also an opportunity to solicit ads from merchants because of extra circulation punch.

The Printing Industry receives its greatest revenue from advertising and gets a major share of the more than nine billion dollars spent by American business for advertising each year.

presenting a word picture of happenings. Newspapers could also encourage more attendance at public meetings, and under the new law this might be a healthy and helpful project to undertake. Too few citizens know and understand legislative procedures and processes, and most only attend public meetings when invited or when an issue affects them closely. Greater public attendance at meetings would also be helpful to editorial stands taken by newspapers in ceasing constructive controversy about issues.)

5. What happens if public bodies still try to hold closed meetings? (Newspaper vigilance on the local level and prompt action by the press or by interested individuals should correct any closed meeting attempts. Since the law requires that no formal action may be taken at an executive session and that all meetings shall be open to the public, it is apparent that court action is available since any action taken in closed meeting would be contrary to law and therefore illegal. Newspapers, in watching operation of the new law, can also editorialize on any attempted infraction, and this should correct most such situations.)

The ONA office suggests that if any legal action becomes necessary in any communities, that a local attorney be consulted.

Can Employees Be Independent Contractors?

In answer to the important question, "Can Regular Employees Be Independent Contractors?", Joseph G. Terry, Wolf and Company, Chicago, KPA official consultant, advises:

Unless there is a clear distinction between regular work and after-hours work by regular employees, the Wage-Hour Division may hold that the employee may have to be paid at overtime rates.

The Fort Worth Pressed Steel Mfg. Co., working on a government contract, subcontracted some piecework to loosely formed groups of its employees. The hearings examiner ordered the company to pay them overtime, based on their piecework earnings. Though the employees did the work after hours at their own request, they remained company employees for the purposes of the Wage-Hour Law.

In view of the fact that some newspapers' employees may be regularly engaged in doing typesetting in the composing room, and then working in the circulation department in the afternoon, it is very important that the employer satisfy himself that such employee is in fact an independent contractor and does not subject the employer to overtime in such instances. Some of the questions asked are:

Does the company help finance his operation?

Does he perform the work on company premises?

Is he guaranteed against loss on the venture?

Does the company regulate his working time?

Is the work supervised, or so simple that no supervision is necessary?

Does the subject hold himself out to others as an independent contractor?

It is very important that the employer establish that such extra services are done on an independent contracting basis. One of the safest steps is to obtain a ruling from the local Wage and Hour Division on any doubtful situations.

U. S. Eastern and Western railroads have petitioned Interstate Commerce Commission for authority to further increase freight rates 15% on general commodities, including newsprint. The petition also proposed the same increase to and from Canada and to Southern territory. The Southern railroads have not, as yet, decided to ask for rate increase. On March 7, ICC authorized a 6% increase to all railroads on general commodities, including newsprint.

Study Your Composing Rooms

By ROGER L. PERRY

Hamilton Manufacturing Company

(Penny losses soon become dollar losses—and one of the biggest penny wasters can be the composing room. Take a look at yours.)

The Top Brass of most printing plants would be amazed if they took the time to study their composing rooms. Some bemoan the fact that the composing room is dead-weight—but they do nothing about it. This department is maintained, explain many, because of necessity.

This ideology is incorrect. The composing rooms in these plants have reached this state only because management has permitted the operation to continue without taking time to investigate and analyze whether the operation is sound and profitable. It can be made so.

"Only a divine power could estimate how many millions of dollars are wasted by compositors hunting for material to finish a job." This quotation is the view of a widely known and successful printer. I repeat it here because it tells the story of the average composing room's lack of profits. Let's dwell for a minute on this subject of profits in the composing room and see how your profits are affected.

How About Time Sheets?

Take your time sheets, for instance; the figures may be honest enough but chances are they contain many things that are not composition, make-up, or lock-up. How many of the recorded "chargeable" minutes are really excess cost minutes, wasted because each working space has inadequate capacity for leads, slugs, and spacing materials?

Trips made here and there to secure supplies, time spent searching for a job that is somewhere in stacks of pages piled on imposing tables or on the floor, endless minutes searching for cuts that are somewhere in a bin frequently mount into hours. This footwork, this time used in looking for things, often amounts to more time than the actual production on a given job.

Yet on your time sheets all of this time is recorded as a chargeable time—but it is really a hidden loss because competitive conditions do not make it possible to charge all this time to the customers. If the customer paid for all this time there would be no unprofitable composing room! You may say that such things only happen occasionally and the losses resulting from such practices are minor. Penny losses become dollar losses. It is a trait of human nature not to worry about small losses. Most of us are too proud to worry about pennies. We are too proud

to take literally the old adage that man often can be pennywise and pound foolish.

To the printer, however, who is faced with the problem of putting his composing room on a more profitable basis, it is quite necessary to guard every single penny loss. Every minute a compositor wastes is equivalent to dropping six pennies down the drain pipe.

If you add up all the minutes a compositor wastes during a day and multiply it by the number of compositors you have and then multiply the result by the number of days a week you are working, you will find that your losses are dollars and not pennies.

Needs Change As Plant Grows

Investigation into composing room conditions will uncover numerous sore spots which have deepened and widened and increasingly hamper production. Often type cases are not grouped or in the right place where a craftsman would be accustomed to finding them. Spacing material and type characters in cases are not conveniently located in adjacent places.

It is important to keep type cases clean and work banks free of material. Make-up tables have a purpose. It is not for the storage of forms. Galley cabinets should be kept up to date when forms are being stored for customers. In conjunction with this the form files should always correspond with the correct galley so that no time is lost in filing a standing form for a repeat run. But how often do they?

Your composing room profits depend on two things, the prices you are paid and your composing room costs. There are two ways in which your profits may be increased. You can raise your selling price, and you can lower your cost. In a competitive market, such as the printing field, it is often impossible to raise the prices beyond the general industry level. Therefore, the reduction of costs is the only weapon remaining which you can use against a common enemy, "loss."

Hard To Analyze Costs

Low production cannot be detected by analyzing costs in the composing room as easily as in the pressroom and bindery where operations are largely confined to machine work and the output easily checked. There is no easily recognizable production unit for composing room hand work. Waste time and losses creep in as a result and go unnoticed. But they can be stopped.

One of the most serious composing room losses arises from the need to overcome the human effort, the inefficiencies of equipment that looks good but is outdated and unsuitable to modern conditions.

You have three elements to your problem. First, there are equipment costs and depreciation. These two factors are important and are easy to evaluate but more important than mere cost is the kind of equipment. Equipment may not be worn out, but it may be expensive to use because it wastes production time.

Two, labor costs, "Chargeable hour cost" whether high or low, is not the most important problem in composing management. The really important problem is the production per hour. Better equipment, better arrangement, better organization, makes it easier for the compositor to do more work in each "chargeable hour."

Three, rental costs of floor space in the plant. Floor space costs money—the more floor space occupied by the composing department, the higher the rental charge against this department and the more lost time results from many steps. Proper equipment carefully arranged will save space, rental charges, and working time.

Use of new equipment is a management study. All plants face this problem eventually—but let's discuss one cost-saving method which any plant can put into practice—right now.

It is quite simple, but can be most important. It's called "saving steps." It is accomplished by efficient layout, no matter what the amount or condition of your equipment. Each plant's problem is different and can be solved only with individual attention. There is no easy formula, although there is ready help.

Many firms offer you some of these help as a result of years of study of various composing room layout problems. They have prepared booklets incorporating a number of typical good floor plan arrangements and also provide layout kits complete with template sheets of equipment properly scaled together with a cross rule sheet having squares measuring $\frac{1}{4}$ inch each way. Contact your favorite supply house. Or write the Hamilton Manufacturing Co.

Employees Play Important Part

To improve your present facilities make a study of this equipment in your plant. It now stands by using the templates and cross rule sheets. Call your employees together and show them the present arrangement. Perhaps the idea may be rebuffed, but result in a "what's the matter with the way it is now" attitude by the men.

Human nature often repels a change. To combat this explain the need for reorganizing the present facilities and the ways in which it will benefit them. Ask for suggestions and then post the layout up in the shop for study by the men for a couple of weeks. This will produce sound thought and good ideas from

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Second District Association Formed

Larry Stone, genial co-publisher of the Central City Messenger-Argus, was unanimously elected president of the newly formed Second KPA District Press Association at the First-Second district meeting at Dawson Springs, September 15.

J. Earle Bell, Union County Advocate, Morganfield, was elected vice-president, and Landon Wills, McLean County News, Calhoun, was elected secretary-treasurer by the 29 representatives of the newspapers in that district present.

The function of the new group is to assist the KPA district committeeman, Mack Sisk, Dawson Springs Progress, in matters pertaining to the state association and in mutual problems of printing and publishing.

Members of the First KPA District will elect officers at a later date. Paul Westpheling, Fulton County News, Fulton, KPA district committeeman, will call the meeting.

The Dawson Springs gathering, which devoted the afternoon in discussion of KPA projects and topics of general interest, enjoyed the hospitality of Mack Sisk and the New Century Hotel. KPA president Adams, vice-president Wathen, and the secretary-manager attended.

The Harrodsburg Herald installed air-conditioning in office and plant this summer, states Publisher Jane Bird Hutton, which did "wonders for our static electricity to say nothing of our employees' comfort. We were able to maintain a 77 degree comfortable temperature and 49 R-H. We are working on our R-H for winter operation."

The Cynthiana Publishing Company, publishers of the Log Cabin and Democrat, have increased the efficiency of their modern printing plant by the installation of a Universal Monotabular Strip Caster, and, will soon install a Scan-A-Graver. A fully equipped darkroom has been installed to process its own photographic journalism.

the men who have to do the work.

Create interest among employees and teamwork within the shop, and production will move at a greater speed. Rely on the suggestions and thinking of your men for they are as important to smooth work flow as the machines they use.

Pay more attention to the conditions which prevail in the back shop and investigate them at regular intervals. A smoother flow of production will only be reached after enough time and serious thought have been consumed in studying your present plant condition.—Canadian Printer and Publisher.

WANTED: To buy, Linotype, Model 8, 14, 21, or 32. Give details. Lowest price. Edmonson News, Brownsville, Kentucky.

The Woodford Sun, Versailles, A. B. Chandler publisher, has installed a Heidelberg platen press to improve the efficiency of its commercial printing department.

The Harlan Daily Enterprise installed a new Ludlow with the most popular and comprehensive type faces on September 20 for versatile use in advertising and headline typography.

Announcement has been made that two Kentucky dailies, the Henderson Gleaner & Journal and the Middlesboro Daily News, have joined the ANPA Bureau of Advertising, make its membership now at an all-time high of 1,018 newspapers and 40 associate members.

The Barbourville Mountain Advocate, Cecil Wilson, publisher, is now occupying its new modern building which replaced the old wooden structure. The plant is arranged for efficient flow-operation, and uses central heating as well as air-conditioning. A new Heidelberg 12 x 18 press and a Hammond Glider Saw brings the equipment up-to-date.

If a classified ad comes in over the counter, the Guy Mills (Wis.) Independent Press inquires if the advertiser is a subscriber. If not, he is offered the classified free providing he takes out a year's subscription. In the past ten years, using this plan, the paper has added more than 500 names to its growing list.

An undersecretary in the U. S. Department of Labor has advised the American Newspaper Publishers Association that there will be no revision in draft of the so-called "model" workmen's compensation law that was distributed some months ago to the labor departments of the various states. The reason given was that Congress eliminated an appropriation for continuing work on the proposal and thus expressed its displeasure at the Labor Department's attempt to influence state legislative action.

So the model bill sent to the states is in the form in which it was originally drafted to abolish newspaper carriers and rural correspondents as independent contractors, making them employees under workmen's compensation laws.

Thus the Labor Department locks the barn door after sowing the seed that will sprout in state legislatures next spring when labor union lobbyists will use this "model" bill to take a crack at newspapers. Publishers may wish to discuss this with candidates for their state legislatures.

The Printing Industry is the sixth largest industry in America.

The Printing Industry ranks third in the number of establishments among the twenty top industries in the nation with 45,000 plants.



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Canon 35 Versus Plain Common Sense

Does a newspaper photographer have a right to take photographs in a courtroom during a trial? Only the presiding judge can answer that question, for he is supreme in his courtroom and has the responsibility of seeing that no actions are permitted which might disrupt or interfere with the orderly processes of justice.

The American Bar Association tried to take this matter out of the hands of individual judges nineteen years ago by drafting its well known "Canon 35." This was a model rule recommended for adoption by bar associations and judges in the various states. Under this rule no photographs would be permitted in courtrooms under the theory that such interruptions were likely to interfere with the procedure in the courtroom and thus interfere with the rights of one of the parties.

Several states have adopted this Canon 35, but in many other states a determined fight is being waged against it. In Colorado a spectacular demonstration was given during the trial of John G. Graham a few months ago. Judge McDonald permitted both still photography and movie photography for television during the trial and said later: "There is not a bit of disruption."

The truth of the matter is that photography has "grown up" since Canon 35 was

written nineteen years ago. Taking pictures in courtrooms was once a frightening experience. Back in the days of flash powder there was a loud explosion and a choking cloud of black smoke hung over the courtroom for a long time after the picture was taken. More recently bright photoflood lights and flash bulbs also served to interrupt whatever was going on.

Today, however, with extremely fast lenses and almost unbelievably fast film, photographs can be snapped quietly and unobtrusively in any room, even in a very dimly lit courtroom. With these new techniques there is no longer room for complaint about disrupting the court. The only moot question now is whether courtroom photography is an invasion of privacy.

Most judges agree that the defendant should not be able to hide behind the right of privacy, but some feel that witnesses and jurors retain that right. However, Judge Walter B. Jones of Montgomery, Alabama, says, "When a person comes into court as a witness or juror, he really does not come as a private citizen; he comes officially—really as an officer of the court. To that extent, the right of privacy does not go."

Chief Justice Silbert of the Cleveland Common Pleas Court has asked the American Bar Association to rescind Canon 35. He believes that "each judge should have the power to control the taking of photo-

graphs in his individual courtroom within his sound discretion and judgment."—A. O. Goldsmith, L.S.U.

The Printing Industry ranks eighth in value added by manufacturing among the nation's top twenty manufacturing industries with a total of almost five billion dollars.

Idaho newspapers must pay a \$6.00 annual license tax for the privilege of doing business in the state according to the recent ruling of the Attorney General. The tax was imposed by the 1955 legislature to finance the Dept. of Commerce and Development, applying generally to retailers and wholesalers, including specifically newspaper doing job printing.

Federal Communications Commission granted Western Union Telegraph Company permission to increase press rates 8.22% effective September 14, according to ANPA. The Bulletin adds that WU has been diversifying its interests in the purchase of one-third interest in Microwave Associates, Inc., Boston in 1955; early this year it purchased 22% of Technical Operations, Inc., Arlington, Mass. and, in September, bought into TeleProm-ter Corp., New York, and Wind Tunnel Instrument Corp., Newton, Mass.

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Southern Bell Telephone and Telegraph Company



Pipeline Farming

Erodible land along the 3,500-mile pipeline system of Texas Gas gets special attention from members of the company's pipeline crews... who have become specialists in saving the soil.

Even before construction crews move out, Texas Gas contacts landowners to see if they plan to sow anything on parts of the right-of-way that are subject to erosion. If not, the company asks permission to seed the land for them. Appropriate agricultural agencies provide information on the types of plants and grasses that prosper in each area.

Terracing and construction of diversion ditches for drainage of excess water are standard practices where needed. The pipeline maintenance crews of Texas Gas make periodic checks on the condition of the right-of-way and work with the landowners for continued conservation of the soil.

This program not only benefits the landowner but also reduces the right-of-way maintenance costs of the company.

Texas Gas is proud of its relationship with the more than 6,000 landowners whose property is crossed by the nine-state pipeline system. Successful farming, like dependable natural gas service, is important to the economy of the Big River Region.



TEXAS GAS TRANSMISSION CORPORATION

GENERAL OFFICES... OWENSBORO, KENTUCKY

SERVING THE *Big River* REGION

Serious Competition Affects Journalism Grads

A warning and a plea to journalism schools and the communications industry dominated the sixth annual convention of the Association for Education Journalism which met at Northwestern University in August.

The warning was a double one, directed in part at the colleges and in part at the journalism business. Schools were advised that large increases in college enrollment would create serious teaching problems in the next few years. The industry was warned that it would have to compete with other major professions for its share of outstanding new talent.

The industry was asked for two types of assistance help in recruiting top students into the field of journalism, and financial assistance in sending these students through school and in aiding journalism schools to meet rising educational costs.—Editor and Publisher.

The American Automobile Association is looking into a new development in traffic law enforcement in which a private organization attempts to collect on the basis of unpaid fines for traffic violations. In the event you should ever receive a document similar to that pictured above, it is requested that you send it immediately to the Louisville Automobile Club. An organization calling itself the Bureau of National Traffic Violations with Post Office Box in Washington, D. C., but with headquarters actually in Miami, Florida, contracts with a small community to take over its unpaid traffic violation summonses and to attempt to collect from the motorists who have failed to pay. The so-called Violations Bureau keeps a percentage of the fine and is supposed to return the rest to the community.—Better Business Bureau.

The rest of your days depends upon the rest of your nights.

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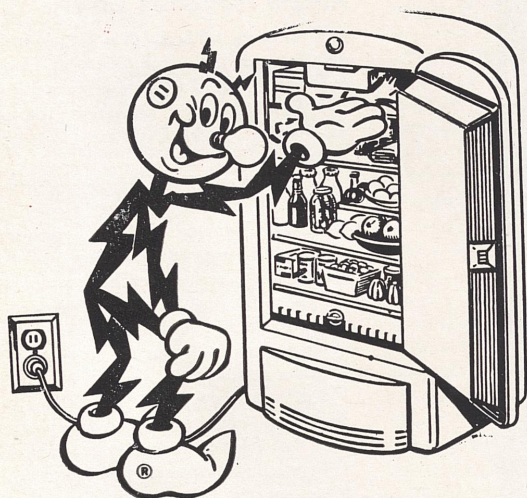


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Helping Kentucky Grow

Five years have passed since *The Kentucky Press* ceased publication. In that time 114 new industries have located in territory served by KU. These 114 new industries will provide employment for more than 19,000 men and women, with estimated annual payrolls of \$69,950,000, and with investment in plants and equipment of an estimated \$96,500,000.