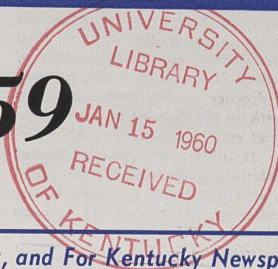


The Kentucky Press

October, 1959



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



VOLUME TWENTY-SIX
NUMBER ONE

Publication Office:
School of Journalism
University of Kentucky
Lexington



Kentucky's Showcase: Covered Bridges On Way Out

Official Publication Kentucky Press Association

The Kentucky Press

Volume 25, Number 12

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.

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Herald-Leader, Lexington
Paul Westpheling, *Vice-President*
Fulton County News, Fulton
Victor R. Portmann, *Secretary-Manager*
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KPA Executive Committee Modifies Contest Rules

The fall executive committee meeting of KPA was held at the Lafayette hotel, Lexington, Saturday, October 17. Members present included Chairman W. Foster Adams, Berea Citizen; President Thomas L. Adams, Lexington Herald-Leader; Vice-President Paul Westpheling, Fulton News; and Secretary-Manager Portmann.

Committeemen present included Ray Edwards, Mayfield Messenger, first district; Donald Towles representing Basil Caummissar, Louisville Courier-Journal, third district; John B. Gaines, Park City News, Bowling Green, fourth district; Frank C. Bell, Bedford Democrat, fifth district; George Trotter, Lebanon Enterprise, sixth district.

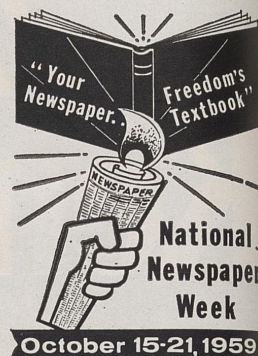
George Joplin III, Somerset Commonwealth, eighth district; S. C. Van Curon, Harlan Enterprise, tenth district; Fred J. Burkhard, Liberty News and Landon Wills, Calhoun News, members state-at-large; Martin Dyche, London Sentinel-Echo, immediate past president; and Perry J. Ashley, central office.

Important changes were made in the rules governing the production contests. (1) A fee of \$1.00 will be made for each contest entry (not each individual piece in any contest); (2) Outside judges will be selected to judge the contests, coming to Lexington for the task; (3) A new contest for the three best photos taken during the year and published in the news columns, limited to newspapers under 15,000 circulation, was added; and (4) First place winners in any contest shall be automatically barred from participating in that contest for the next year.

At the request of publishers, the secretary-manager will offer advertising space for sale in the 1960 Directory and Rate Book to any Kentucky publisher. Details and procedures will reach the membership soon.

After discussion of the merits and demerits of the legal seminars the past summer, it was decided that the seminars should be continued and a poll of the membership taken to determine the topic, or topics, for the 1960 seminars.

For many years, under the affiliate membership plan, every KPA active member has automatically become a member of the National Editorial Association, the fee of \$5 being paid by the Central Office. Last year, because of necessity, the affiliate membership fee was raised to \$10 a year. The Central Office again paid the customary \$5 for each member, and the voluntary balance was requested from KPA members. Under the former affiliate plan, all Kentucky publisher-members were an integral part of NEA; last year only 78 publishers



renewed their membership, almost a percent drop.

Following its move to Washington, Chicago last year, the NEA office has moved closer to the administrative and legislative branches of the government, especially watchdog in national legislative matters. The committee deemed it highly important that every assistance, both materially and financially, should be given our only spokesman for the community press in America. Accordingly, the secretary was instructed to include the \$10 NEA membership fee in his dues statements to the KPA members. It is hoped that every publisher will renew to keep his membership in our national organization.

The secretary was instructed to prepare and forward pledge forms to the membership, inviting them to become participants and contributors to the School of Journalism Foundation of Kentucky. Five newspapers have sent their contributions to the growing scholarship fund this year, and now will be given the opportunity to contribute to the fund that will enable worthwhile and qualified students to receive a formal education in journalism.

The committee was guests of the Lexington Herald-Leader for dinner after they attended the Kentucky-LSU football game.

UK Graduate Joins Alabama Newspaper

Don Henry, 26, of Morganfield, Kentucky, joined the staff of the Franklin County Times as a news editor, succeeding Cullene Morgan.

Henry will have full responsibility for coverage of local news.

A graduate of the University of Kentucky in 1955 with a degree in journalism, Henry has completed nearly four years of active duty with the U. S. Army where he attended the Army Aviation School and was a pilot.—Alabama Publisher

OCTOBER

Radio Lottery

A Kentucky c... fully refusing to... both as news an... with the words... the radio will."... and to correct a... their misconcep... requested the Co... opinion concern... radio and TV st... of lotteries.

This opinion... John B. Browni... eral, State Capit...

The broadcas... concerning a lot... station which i... Communication... under Title 18... which reads as...

"Whoever br... radio station for... by any law of t... ever, operating a... permits the broa... ment of or info... tery, gift enterpr... ing prizes depen... upon lot or chan... drawn or award... lottery, gift enter... said list contain... prizes, shall be f... or imprisoned n... both.

"Each day's b... a separate offen...

The question... scheme or progr... sometimes not... may not be agre... ing agencies as w... away" programs... ally resolved by... Court in 1954... tions Commission... the "give-away"... teries since the... tion provided... home to listen... the Department... ment of consid... fused to bring cr... casters of such... quoted lottery... then promulgat... hibited the broa... shows. The Su...

Radio-TV Subject To Same Lottery Laws As Newspapers

A Kentucky community newspaper, rightfully refusing to publish an obvious lottery, both as news and advertising, was threatened with the words, "If you don't publish this, the radio will." In order to protect himself and to correct and advise his merchants on their misconception, the publisher requested the Central Office to procure an opinion concerning the responsibility of radio and TV stations as regards publication of lotteries.

This opinion was furnished this office by John B. Browning, Assistant Attorney General, State Capitol, Frankfort, as follows:

The broadcasting of any advertisement concerning a lottery by a radio or television station which is licensed by the Federal Communications Commission, is an offense under Title 18, U.S.C.A., Section 1304, which reads as follows:

"Whoever broadcasts by means of any radio station for which a license is required by any law of the United States, or who, ever, operating any such station, knowingly permits the broadcasting of, any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

"Each day's broadcasting shall constitute a separate offense."

The question of whether a particular scheme or program constitutes a lottery is sometimes not easy to resolve and there may not be agreement even among enforcing agencies as witness the celebrated "give-away" programs controversy which was finally resolved by the decision of the Supreme Court in 1954. The Federal Communications Commission was of the opinion that the "give-away" programs constituted lotteries since there was sufficient consideration provided by the viewers staying at home to listen to the programs. However, the Department of Justice thought the element of consideration was lacking and refused to bring criminal action against broadcasters of such programs under the above quoted lottery statute. The Commission then promulgated regulations which prohibited the broadcasting of the "give-away" shows. The Supreme Court in Federal

Communications Commission vs. American Broadcasting Company, 347 U.S. 284, 74 S. Ct. 593, ruled as follows:

"These cases are before us on direct appeal from the decision of a three-judge District Court in the Southern District of New York, enjoining the Federal Communications Commission from enforcing certain provisions in its rules relating to the broadcasting of so-called "give-away" programs. The question presented is whether the enjoined provisions correctly interpret Sec. 1304 of the United States Criminal Code, formerly Sec. 316 of the Communications Act of 1934. This statute prohibits the broadcasting of ". . . any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance . . ."

"The appellees are national radio and television broadcasting companies. They are, in addition, the operators of radio and television stations licensed by the Commission.

"Like the court below, we have no doubt that the Commission, concurrently with the Department of Justice, has power to enforce Sec. 1304. Indeed, the Commission would be remiss in its duties if it failed, in the exercise of its licensing authority, to aid in implementing the statute, either by general rule or by individual decisions. But the Commission's power in this respect is limited by the scope of the statute. Unless the "give-away" programs involved here are illegal under Sec. 1304, the Commission cannot employ the statute to make them so by agency action. Thus, reduced to its simplest terms, the issue before us is whether this type of program constitutes a "lottery, gift enterprise, or similar scheme" proscribed by Sec. 1304.

"All the parties agree that there are three essential elements of a 'lottery, gift enterprise, or similar scheme': (1) the distribution of prizes; (2) according to chance; (3) for a consideration. They also agree that prizes on the programs under review are distributed according to chance, but they fall out on the question of whether the home contestant furnishes the necessary consideration.

Section 1304 itself does not define the type of consideration needed for a 'lottery, gift enterprise, or similar scheme.' Nor do the postal lottery statutes from which this language was taken. The legislative history of Sec. 1304 and the postal statutes is similarly unilluminating. For guidance, there-

fore, we must look primarily to American decisions, both judicial and administrative, construing comparable antilottery legislation.

"To be eligible for a prize on the 'give-away' programs involved here, not a single home contestant is required to purchase anything or pay an admission price or leave his home to visit the promoter's place of business; the only effort required for participation is listening.

"We believe that it would be stretching the statute to the breaking point to give it an interpretation that would make such programs a crime. Particularly is this true when through the years the Post Office Department and the Department of Justice have consistently given the words 'lottery, gift enterprise, or similar scheme' a contrary administrative interpretation. Thus the Solicitor of the Post Office Department has repeatedly ruled that the postal lottery laws do not preclude the mailing of circulars advertising the type of 'give-away' program here under attack. Similarly, the Attorney General—charged directly with the enforcement of federal criminal laws—has refused to bring criminal action against broadcasters of such programs. And in this very action, it is noteworthy that the Department of Justice has not joined the Commission in appealing the decision below.

"It is true, as contended by the Commission, that these are not criminal cases, but it is a criminal statute that we must interpret. There cannot be one construction for the Federal Communications Commission and another for the Department of Justice. If we should give Sec. 1304 the broad construction urged by the Commission, the same construction would likewise apply in criminal cases. We do not believe this construction can be sustained. Not only does it lack support in the decided cases, judicial and administrative, but also it would do violence to the well-established principle that penal statutes are to be construed strictly."

If a radio or television station is broadcasting advertisements concerning a lottery, it would seem that the remedy is to report it to the Department of Justice and to the Federal Communications Commission. As stated above, there is sometimes a difference of opinion as to whether a particular scheme constitutes a lottery and any such controversy generally stems from the presence or absence of the element of consideration paid by those who participate in an award of prizes.

Jo M. Ferguson
Attorney General
By: John B. Browning
Asst. Attorney General

Washington Notes--

By EDGAR S. BAYOL

ADVERTISING: Internal Revenue Service issued proposed new rules covering deductibility of institutional and lobbying ads. In most respects, the new proposals are softer than either the present rules or those previously proposed. Written comments on the new proposals can be submitted and a public hearing is likely to be scheduled.

Most industry groups concerned with the ad deductibility question are pleased with the new rules but hope that IRS can be persuaded to ease them a bit more before adopting them finally. Trade association officials are conferring to determine what course to follow.

The present rules simply state: "Sums of money expended for lobbying purposes, the promotion or defeat of legislation, the exploitation of propaganda, including advertising other than trade advertising, and contributions for campaign expenses are not deductible from gross income in arriving at net income upon which the tax is computed."

This language has been interpreted in various ways at various times. It was even used to outlaw a Timken Roller Bearing campaign which urged support of a local Community Chest. Certain utility ads opposing public power have also been declared non-deductible. This ruling is being tested in court.

The new language is far more specific. Lobbying ads are still ruled out but the proposed regulations contain affirmative language relating to institutional campaigns, as follows: "Expenditures for institutional or 'good will' advertising which keeps the taxpayer's name before the public are generally deductible as ordinary and necessary business expense provided the expenditures are related to the patronage the taxpayer might reasonably expect in the future.

"For example, a deduction will ordinarily be allowed for the cost of advertising contributions to such organizations as the Red Cross, the purchase of United States Savings Bonds, or participation in similar causes.

"In like fashion, expenditures for advertising which present views on economic, financial, social or other subjects of a general nature but which do not involve any of the (lobbying) activities . . . are deductible if they otherwise meet the requirements of the regulations under section 162."

NEWSPRINT: Longshoremen's strike, which started October 1, at Eastern and Gulf ports poses a threat to the newsprint supply of many papers which depend on

water transportation. In most cases newsprint inventories are believed adequate unless the strike is prolonged. Rail delivery of newsprint, although more expensive, may be substituted for water delivery in some cases.

The last dock strike was three years ago. After nine days, the Government obtained an injunction under the Taft-Hartley Act. This put the longshoremen back to work for 80 days, but the strike was resumed for five more days after the injunction expired. Current Washington reports suggest that President Eisenhower may invoke the Taft-Hartley Act if the strike lasts more than one week.

POSTAL: President Eisenhower's statement on the record of the first session of the 86th Congress included a single sentence on the failure of Congress to raise postal rates. He said: "Again the Congress refused to put our Postal Service on a self-sustaining basis."

This language is interesting because Ike had not proposed self-sustaining rates. All he asked for was a 5-cent letter rate which would still leave a considerable postal deficit. The revenue estimate for a 5-cent rate is \$350 million a year, while the estimate of the deficit for the current year is \$604 million.

The implication is obvious: Ike assumes that if Congress raises first class rates again, other rates will be hiked at the same time, including second class. This has been assumed all along by mail user groups.

Incidentally, the words "self-sustaining" are foreboding indeed. If P.O. Cost Ascertainment figures are used, second class rates would have to be more than tripled to reach a break-even basis.

The P.O. Dept. is holding hearings on a proposal to expel certain cross-word puzzle magazines from second class mail. In a similar case recently, a P.O. examiner ruled other puzzle books ineligible for second class entry. P.O. officials concede they are trying to withdraw second class entry from all puzzle publications. A court test seems inevitable eventually.

From the newspaper standpoint, a clean-up of second class appears desirable. Certainly the deficit for which bona fide newspapers and magazines are blamed is swollen by a myriad of dubious publications which probably contribute little to the education and enlightenment of the public.

If the P.O. succeeds in getting puzzle publications out of second class, its next move will be directed against comic books and joke magazines. Already a question has been raised as to their mailability under second class rates.

Citation Honoring Papers, Staffs Presented To NEA

The more than 10,000 hometown and weekly newspapers of America, the publishers, editors and staffs and the National Editorial Association were given special recognition at the NEA's fall meeting in Congress Hotel in observance of the opening of the 20th anniversary of National Newspaper Week, October 15-21.

A citation presented to NEA President E. W. Schergens, Tell City (Ind.) News publisher, by Glenn E. McNeil, Tennessee Press Association manager from Knoxville representing the National Newspaper Week Committee and Newspaper Association Managers, Inc., founders of the annual week, stated the recognition was "for devoted service in upholding and preserving these traditional and fundamental American rights: Freedom of religion, freedom of speech, freedom of enterprise, and freedom of the press."

The citation further stated:

"America's independent hometown newspapers have long been a bulwark of strength and freedom in our nation. They will continue to contribute to a sound foundation as they represent and chronicle the independent, grass-roots thinking of free-loving Americans everywhere.

"For their many contributions to freedom in America, and for helping to maintain a vigilant and responsible free press, a free people, Newspaper Association Managers, Inc., salutes the Hometown Newspapers of America and the National Editorial Association on this opening day of National Newspaper Week, 1959."

In making the presentation, McNeil pointed out how the daily and weekly hometown newspapers serving all of a nation's communities have helped to make democracy work by keeping the public informed. Efforts in nearly every state to hide news, cover up inefficiency and corruption, and pass legislation to hurt the public, newspapers and our free press have been strongly opposed by courageous newspapermen acting in behalf of the general public, McNeil explained.

He said, "The price of liberty and freedom is indeed eternal vigilance by newspapers and the public, working together. Without the public's right to know, it goes on in their government and without freedom of expression and the freedom of newspapers to print the truth, there could be no real freedom for the individual in America."

A successful man is one who can spend more money than his wife can spend. A successful woman is one who can find

Editorial For M

The Menifee County, Kentucky, Jerry F. Ringo, first place award for paper Safety, American Tru

The editorial was written by writer on the date of the U. joined the Jou nation.

The contest ATA had three single story, a entry of the Jo the Tunkham New Age and second and thi

The weekly Ringo has a cir publishing in M began weekly year. He will Journalism in

Ringo travel every week-end the week to ce

Judges of the president of the Harry F. Reutl Chicago Amer ton, editor of ma Delta Chi journalism society.

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The editorial family?" follow

"Who'll tell How would er and father t in a wreck? A who caused it.

The above p across our cou one and not d be almost bor the other end nearly as dead experienced at th is the simple p

The tough p ents of childre are pretty good be injured and

Editorial Wins National Award For Menifee County Journal

The Menifee County Journal, Frenchburg, Kentucky, edited and published by Jerry F. Ringo, UK journalism student, won first place award of \$500 in the 1959 Newspaper Safety Writing Competition of the American Trucking Association.

The editorial, "Who'll Tell The Family", was written by Gilbert R. Barley, editorial writer on the Journal staff and a June graduate of the UK School of Journalism. He joined the Journal immediately after graduation.

The contest sponsored nationally by the ATA had three categories: series of stories, single story, and editorial. The editorial entry of the Journal placed over entries from the Tunkhannock (Pa.) Republican and New Age and the Atlanta Journal, receiving second and third place respectively.

The weekly paper owned and founded by Ringo has a circulation of 1,200. He began publishing in May, 1957, as a monthly and began weekly publication in May of this year. He will graduate from the School of Journalism in January.

Ringo travels to his office in Frenchburg every week-end and some evenings during the week to edit his publication.

Judges of the contest were Howard Pyle, president of the National Safety Council; Harry F. Reutlinger, managing editor of the Chicago American; and Charles C. Clayton, editor of The Quill, published by Sigma Delta Chi, national professional journalism society.

With the check for \$500 Barley will also receive a framed certificate and a plaque properly engraved will be presented to Ringo from the newspaper.

The editorial, headed "Who'll tell the family?", follows:

"Who'll tell the family?"

How would you go about telling a mother and father their son had just been killed in a wreck? At this point it matters little who caused it.

The above presents a problem faced daily across our country. It is a commonplace one and not difficult to handle. It gets to be almost boring to ignore the silence at the other end of the phone—a silence not nearly as dead as the one you have just experienced at the scene of the accident. This is the simple part.

The tough part is to get across to the parents of children living today that the odds are pretty good someone in their family will be injured and maybe killed by an auto-

mobile. Have you been passing the word along? The driver, not the car, is responsible for the killing. Maybe a quick little trip to the morgue will serve as a teaching aid.

How about your own driving habits? Slipped through a stop sign lately? How about that yellow light—it means caution, remember? Getting pretty good at squeezing in that extra five miles over the posted limit? Just a thought, but every time you break a law you are not only proving yourself to be immature, irresponsible and impolite, but you have first priority as a potential killer. The guilt. How do you reconcile yourself to the fact that you have been responsible for a death or deaths?

You're reading this with about as much attention as you pay to the distance between you and the car ahead. In both cases you won't get the full meaning until you literally feel the impact of the accident. Let's hope the first one is minor—that will increase your chance of its being the last one. Maybe it will give you some idea of what it is like to be responsible for a loaded two-ton weapon traveling down the highway at fifty miles an hour.

You are being watched. Have you noticed? Not the police, your children. They have been watching you all their lives. They will imitate, more than you or they realize, what you do. When you crow about spotting the cop up the road in time to slow down and avoid a ticket you are being watched. Congratulations! You may have just signed the death warrant of your children—if they live through your driving.

Some among you have never had an accident and don't feel you fit any of the above patterns, there are many others but we'll give you the benefit of the doubt and say you're near perfect. That's not good enough. Perfect people get killed too. There is more than one tombstone with the inscription of the innocent, "Here lies the guy who had the right of way."

We tell ourselves that it is the "other guy." Who do we think we are kidding? You and I are the other guy. You are the other guy for me and I am the other guy for you.

Safety starts at home. When road safety has been taught at home then we have a right to work on the "other guy." When there are no more other guys running around loose we can rest. For a split second! One doesn't get any rest in this sort of

Business Gifts Not Subject To Retailers Excise Tax

One of American business' "national pastimes" is the giving of business gifts, premiums, awards, etc., to their customers. This is a recognized method of stimulating sales and cementing business goodwill.

Many of the items purchased by a business for such distribution to customers are subject to a federal retail excise tax. For example, real and imitation jewelry, furs, toilet preparations, luggage, handbags, wallets, etc., are subject to a tax equal to 10 percent of their retail price, which tax is customarily passed on to the purchaser. Thus, if your firm bought, at retail, a hundred \$5 wallets to give to your customers they would probably cost you \$500, plus \$50 in tax, or \$550.

It is now possible for your firm to save this \$50 in tax. Under recent court decisions (Gellman, C.A. 8; Torti, C.A. 7) and Internal Revenue Service rulings (Rev. Rul. 58-125; TIR 170) no retail excise tax is imposed upon sales by a wholesaler (or by a retailer engaged in a clearly separate wholesale operation) to business firms for their use as awards, premiums, advertising media, etc.

Of course, the present position of IRS in stressing the status of the seller as a wholesaler places retail dealers at a disadvantage in competing for this type of business. To remedy this situation, ranking majority and minority members of the House Ways and Means Committee have introduced companion bills (H.R. 7071, 7235) to exempt from the retailers excise tax all sales for use as business prizes, awards, or premiums, regardless of the status of the seller as wholesaler or retailer.—Wolf & Co., KPA Consultant.

In the Kellogg (Idaho) Evening News recently, the hapless editor went out of the frying pan into the fire when he ran the following correction:

"Our paper carried a notice last week that Mr. John Doe is a defective in the police force. This was a typographical error. Mr. Doe is really a detective in the police force."

thing. We write letters. Talk to anyone who will listen. We have our children memorize, and realize, the fact that 40,000 people are killed and more than a million injured by automobiles in this country each and every year.

What are you going to do about it? As things are going the odds will catch up with you sooner or later. I'm not worried. It's always the other guy, 40,000 other guys.

Right To Advertise Is Threatened Daily

In addressing the American Bar Association at its recent Miami meeting, and commenting on the just-passed Ohio law which curbs the power of state boards to regulate advertising, Robert M. Feemster, American Federation On Advertising, emphasized to the assembled lawyers:

"We've come to a fine pass when it becomes necessary to include this subject on your speaking agenda. I'm sure it would shock most Americans to learn that the right of the utility industry—or any other industry—to inform the public, is being questioned and attacked.

"Actually, of course, the danger is even graver than that. When you hinder any citizen's right to speak in print, you automatically hinder the rights of many citizens to listen. Thus, any federal encroachment on the process of advertising automatically also is an encroachment on the public's right to be informed.

"Let us face up to the fact that, under today's costs, neither freedom of the press nor freedom of speech (with any assurance of being heard) are economically even possible in America without the definite freedom to advertise legitimate activity. Today, an editor writing something to be published so that it may be delivered to even one-tenth of one percent of our population has to have several million dollars behind him, invested in plant and equipment. And he has to meet operating costs of several million dollars more. To him, freedom of the press is possible only because hundreds of companies and individuals want to advertise to his readers, and the factor of safety-in-numbers guarantees the editor's independence from any one or any few of these advertisers.

"Also, freedom to advertise is the guarantor of freedom of the press and freedom of speech with assurance of being able to be heard. Any individual engaged in a legitimate business or activity may inform the public about it, through that same editor's multi-million dollar medium, for as little as two or three dollars!

"After all, what is advertising? Advertising is just a short and snappy name for the method by which you can convey to me a piece of information you have a perfect right to tell and which I have a right to receive. Anything that interferes with this is not just an obstruction of advertising but an obstruction of your right to say—and my right to listen."

What the country needs, Mr. Feemster declared, is state by state and federal passage of "Right to Advertise" laws, specifically

Louisiana To Challenge Interstate Tax Decision

Robert L. Roland, Louisiana collector of revenue, told annual conference of Tax Executives Institutes, Inc. at French Lick, Ind., Sept. 30 his state plans to attack validity of recently enacted federal law which provides that no state may tax firm's income from interstate commerce unless firm is incorporated in state or has physical property there, such as an office or warehouse.

Roland said Louisiana will seek U.S. Supreme Court ruling as soon as state can find appropriate case.

Charles F. Conlon, executive secretary, National Association of Tax Administrators, told convention that while new law bars states from taxing profits from sales of corporations represented only by sales representatives in state, the very processing by these representatives of orders to be sent out of state for approval might be construed as an "office" activity—thus making corporation taxable under state's existing powers.

U.S. Supreme Court March 2 upheld Louisiana State Supreme Court decision which held state does have power to tax an interstate concern not having local office. Case is Brown-Forman Distillers, Louisville, Ky. Company operates no local offices in Louisiana, but sends its representatives to take wholesale orders and help set up retail displays in state. U.S. Supreme Court held Louisiana could tax, proportionately, income of out-of-state corporations derived from sales within state, whether company maintains office in state or merely sends in representatives to take orders.

Under the new Alabama sales tax law identified as Act No. 100, passed by the 1959 special session of the legislature, approved and signed into law by Gov. Patterson, newspaper subscriptions formerly exempt are now subject to 3 per cent sales tax. Proceeds of this tax (like all other sales taxes will be paid into the Alabama special educational trust fund. Beginning Oct. 1, carriers and other retail newsdealers in Alabama are required by law to collect sales tax on all amounts in excess of 10 cents. This tax will not apply to out-of-state subscriptions.

prohibiting curbs on the right of any legitimate company to inform the public . . . and the public's right to be informed.

"The fight for advertising is the fight for your right to present your case—and my right to listen," he said. "It's as simple as that . . . and as precious as that."

Press Institute Announces Seminars For 1959-60

A new schedule of newspaper seminars for its 14th year has been announced by the American Press Institute of Columbia University. The schedule follows:

New Methods of Producing Newspapers (for newspapers under 50,000 circulation), November 9-20; City Editors, December 7-18; Circulation Managers, January 11-22; Advertising Executives (for newspapers under 75,000 circulation), February 8-18; Managing Editors and News Editors, March 7-18; Reporters and Editorial Writers on Urban and Suburban Problems, April 4-15; Publishers, Editors and Chief News Executives (for newspapers under 50,000 circulation), May 2-13; New Methods of Producing Newspapers (for newspapers over 50,000 circulation), May 16-27; Management and Costs (for newspaper under 75,000 circulation), June 6-17.

All seminars are of two weeks' duration. New seminars are those on New Methods of Producing Newspapers (one for small and one for large newspapers) and on Urban and Suburban Problems for reporters and editorial writers. These were added in response to the request of newspapers filling out a questionnaire submitted by the Institute.

Magazine Campaigns Against Adv. Abuses

The campaign of National Jeweler, a leading jewelry industry publication against "Industry Enemy No. 1"—fake pricing and false ticketing—is receiving wide backing from Better Business Bureaus throughout the country.

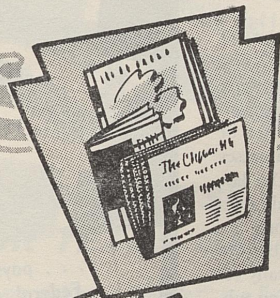
Certainly we have seen enough here locally of what the magazine calls this "epidemic . . . that is slowly but surely strangling this industry," and are glad to see this self-regulatory movement.

Attributing the blame to "a handful of bad actors" who are giving the legitimate retail jeweler a black eye in his community, National Jeweler has appealed to trade members to send evidence of any misrepresentations to the vigilance committee which is handling the drive.

The magazine says the mischief is caused by using "outlandishly high prices which are 'cut' to give the impression of big savings." It uses often-expressed BBB reasoning that such goings on can only give would-be customers the idea of vast overpricing in the first place. We wish the drive every success and will help it along whenever we can.

Keystones of Democracy:

A FREE PRESS *and* FREE ENTERPRISE



Fundamental to free enterprise is the right of every business to engage in free, fair and full competition and to employ every legitimate promotional device to increase sales volume.

That includes all forms of advertising. It also includes many other promotional tools. One of them is trading stamps. S&H Green Stamps have been a positive competitive force in our nation's economy for more than 60 years. They are used today as a promotional tool by more than 60,000 merchants to help their business grow.

SOUTHEASTERN DISTRICT
THE SPERRY AND HUTCHINSON COMPANY
 419 Comer Building • Birmingham, Alabama





ALSO...

Authorized Dealers
Representing Leading
Manufacturers of
Graphic Arts Equipment

- HAMILTON
COMPOSING ROOM.
- C & G SAWS
- CHALLENGE
MISCELLANEOUS
- ROUSE SAWS and
MITERING MACHINES
- AMERICAN STEEL CHASES
- NUMBERING MACHINES
ALL MAKES
- STITCHING WIRE
- BRASS RULE
and GENERAL
COMPOSING ROOM NEEDS

May we serve you?

**THE CINCINNATI
TYPE SALES, INC.**

424 COMMERCIAL SQUARE
CINCINNATI 2, OHIO
Telephone: CHerry 1-8284

New Law Puts Teeth In Advertising Violations

The Federal Trade Commission now has a new set of muscles with which to crack down on advertisers who violate its cease-and-desist orders. These muscles have developed with the recent passage by the Congress of the Sparkman-Celler Act.

Like the Federal agency, Better Business Bureaus long have been riled by the legal maneuvering with which firms could prolong questionable practices, including advertising campaigns that the FTC had called deceptive or misleading, without hazard under the law.

The new measure makes such violators liable to contempt of court prosecution and penalties up to \$5,000 a day during non-compliance with Appellate Court orders.

Beg Pardon—The Press apologizes for putting the wrong caption on its cover picture in the September issue, labeling the famous McHargue Mill at the Levi Jackson State Park, London, as the Millsap Mill near Monticello.

Commerce Clearing House under date of Sept. 4 issued a 96-page booklet titled "New Labor Law of 1959, With Explanation", giving full details about the "Labor-Management Reporting and Disclosure Act of 1959" (Labor 3661). This study discusses each new provision and change in the law to show what they mean, giving full text, important effective dates and reports required under new controls. Subscribers to CCH Labor Law Reports automatically receive this copyrighted booklet. Non-subscribers may purchase it directly from CCH (4025 W. Peterson Ave., Chicago 46, Ill.) at single copy price of \$1.50; SNPA members may purchase the booklet from the Chatanooga office for \$1.00.

The Indiana Appellate Court recently upheld a union contention that the state's 1957 right to work law, while outlawing compulsory union membership as a condition of employment, does not prohibit agency shop contracts. The agency shop clause in question provides that workers have the prerogative of joining or not joining the union, but further provides that as a condition of employment all non-members must pay to the union an amount equal to the dues and initiation fees paid by members in recognition of the union as exclusive bargaining agent for all employees. The court noted that 15 of the 19 states with right to work laws prohibit agency shops, but ruled that the Indiana law does not.

KENTUCKY'S BREWING INDUSTRY...

... HELPS ALL OF
KENTUCKY

... makes jobs for
more than 19,000
Kentucky people

... pays \$27 million in
Federal and State
taxes annually

... pays nearly \$5 million
annually to Kentucky
farmers for grains



KENTUCKY DIVISION
U. S. BREWERS FOUNDATION
1523 HEYBURN BUILDING • LOUISVILLE 2, KY.

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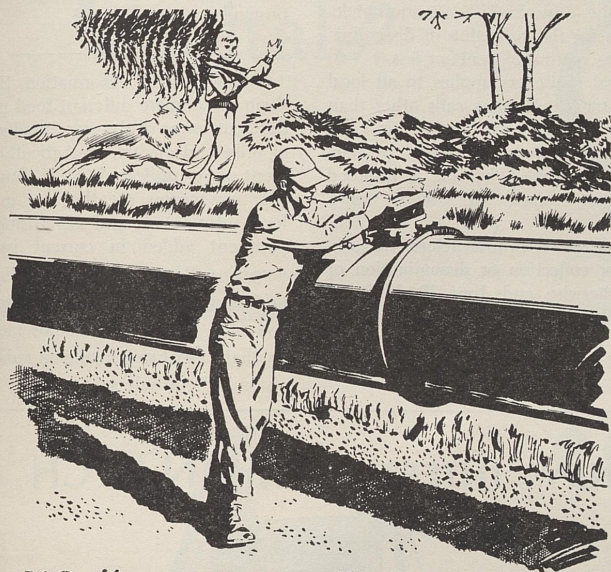
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Dispatches from Lansing report final action was blocked on bill in Michigan Legislature to increase sales tax from 3 to 4 percent. Under that bill exemptions now existing for newspapers and periodicals were eliminated and provision in the bill called for tax to apply to various materials used or consumed in newspaper production.

Men who make big money are careful with their small change.

The first theater in the United States was located in Williamsburg, Virginia. It was built by William Levingston in 1716. Last year, amusement advertisers invested nationally \$1,500,000 in daily newspaper advertising.

The first permanent annual Rose Bowl football game was held in 1916. Today, more people read a newspaper in one day than attend football games in an entire year.

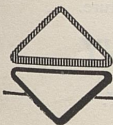


NO "HOLIDAYS" FOR TEXAS GAS PIPELINES

To a gas pipliner, a "holiday" is a flaw in the thick protective coating applied to a pipeline before it is buried safely underground. But "holidays" have no place in the 3,700 miles of Texas Gas Transmission Corporation pipelines, or in their operation, either. The tiniest flaws in the coating are detected by an electronic device that scans the line, inch by inch, during the construction period. Thus detected, "holidays" must be eliminated before Texas Gas engineers give the order to "lower in the pipe."

Such minute attention to detail is typical of the pains that Texas Gas takes in making certain that gas service to the growing list of communities it serves will go on dependably every day—holidays or working days. It's one reason why homes, businesses and industries in expanding Mid-America rely increasingly on natural gas. They've learned from experience that it's completely dependable, under all weather conditions, the year around.

There are no "holidays" in Texas Gas' pipeline coating—and no holidays in its round-the-clock service, either!



TEXAS GAS

TRANSMISSION CORPORATION

General Offices Owensboro, Kentucky

COMMUNITY PRESS SERVICE

- "SERVING AMERICA'S WEEKLY NEWSPAPERS"
- EDITORIAL FEATURES
 - HOLIDAY GREETING ADS
 - GRADUATION GREETING ADS
 - HOLIDAY FEATURES

100 East Main St. Frankfort, Ky.

Your Linotype will

be
busy
as a



with Mergenthaler
Linotype Parts



HERE'S
YOUR
ANSWER
TO OFFSET
ESTIMATING!

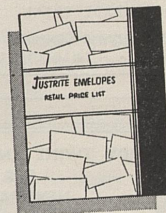
Photo-lithography, duplicating, binding indexed for fast, reliable estimating.

Send for 60-day FREE Trial!

PORTE PUBLISHING COMPANY
P. O. Box 143 • Salt Lake City 6, Utah

JUSTRITE'S

RETAIL PRICE LIST FOR
PRINTED ENVELOPES



At last, an illustrated retail price list offering competitive prices on the complete line of envelopes is available to you. Write for your complimentary copy and learn how Justrite Envelopes can help you increase your profits.

"SOLD FOR RESALE ONLY"

JUSTRITE ENVELOPE MFG. COMPANY
523 Stewart Avenue S.W. • Atlanta 10, Georgia

Editor Issues Anniversary Edition For High School

Probably the first special edition of its kind ever printed in North Dakota was published at Towner in June under the supervision and direction of Fern Lee, editor of the Mouse River Farmers Press. It was an anniversary edition noting the 50th anniversary of the first class to be graduated from the Towner high school.

There were four 8-page sections, one being the regular weekly edition and the other three sections consisted of unique advertising messages replete with pictures of past and present prominent Towner high school graduates.

Editor Fern Lee started compiling data for the publication about a year ago and ended up with the biographies of more than 425 THS graduates. Just compiling the information was a great accomplishment for editor Lee to say nothing of her work selling the ads making up eight front pages and helping put the ads together.—N. D. Publisher

METRO NEWSPAPER SERVICE
80 MADISON AVE., N. Y., N. Y.
Means PLUS BUSINESS for Your Newspaper
Lawson Spence Representative

FRANKLIN — makes the difficult estimating — EASY!

FRANKLIN PRINTING CATALOG FRANKLIN OFFSET CATALOG

Indispensable guides for anyone valuing printing or offset orders

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THE HANDY TWINE KNIFE FOR NEWSPAPER MAILING ROOMS

6

This Handy Knife Is Worn Like a Ring

ALL SIZES 25c EACH \$2.40 PER DOZ.

Handy Twine Knife Co.
Upper Sandusky, Ohio

Phone Calls For News Not Subject To Tax

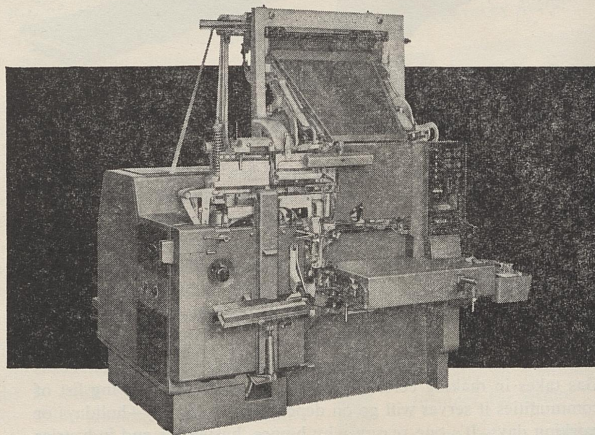
Because of confusion as to application of federal excise tax to telephone calls for collection or dissemination of news, publishers are again reminded that:

1. Tax does not apply to any long distance or toll telephone calls for collection or dissemination of news.
2. Exemption in Internal Revenue Code of 1954 was expanded effective September, 1958, Public Law 85-859, to cover telephone calls for the collection or dissemination of news costing 25 cents or less.
3. Federal excise tax applies to all local or long distance telephone calls other than for collection or dissemination of news.
4. Exemption does not apply to telephone service itself. That tax is imposed because a newspaper, like others, has a telephone.
5. Federal tax on all local telephone calls, whether for collection or dissemination of news or otherwise, ends June 30, 1960 under Public Law 86-75. Ten percent tax will continue, however, on long distance telephone calls for other than collection or dissemination of news.

U.S. Court of Appeals for District of Columbia recently affirmed a District Court decision upholding the Patent Office ban on advertising by patent attorneys. While a motion for rehearing will be filed, this looks like the end of the road and the oft-postponed prohibition will take effect. This is not a matter of pocketbook interest to newspapers since virtually all advertising by patent attorneys is placed in certain magazines read by inventors. However, the order has been fought by numerous media groups on principle.

Women want information that allows them to compare different food products on different forms of the same product in terms of price and quality, an Agriculture Department survey indicated Oct. 8. Study shows that newspapers are the best medium for food information and advertising, the Department added in current issue of its magazine "Agricultural Marketing." "The printed word can be read, re-read, clipped and filed. And it commands more authority than casual statements on radio and television," the article said.

NEW INTERTYPE 'MONARCH'



King of the composing room... fastest, most productive linecasting machine in the world.

New in concept! New in performance! New in appearance!

Write for demonstration or send for literature.



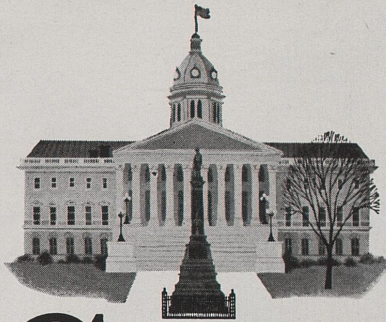
INTERTYPE COMPANY

A Division of Harris-Intertype Corporation

360 Furman Street, Brooklyn 1, N. Y.

How well do you know your

Capitals?



Columbia

This Capital is important
to the State of South Carolina



“C”

This Capital is important
to our trade-mark

When you have occasion to refer to our product by its friendly abbreviation, you'll keep your meaning clear if you make it "Coke"... with a capital "C" please. And you'll help us protect a valuable trade-mark.

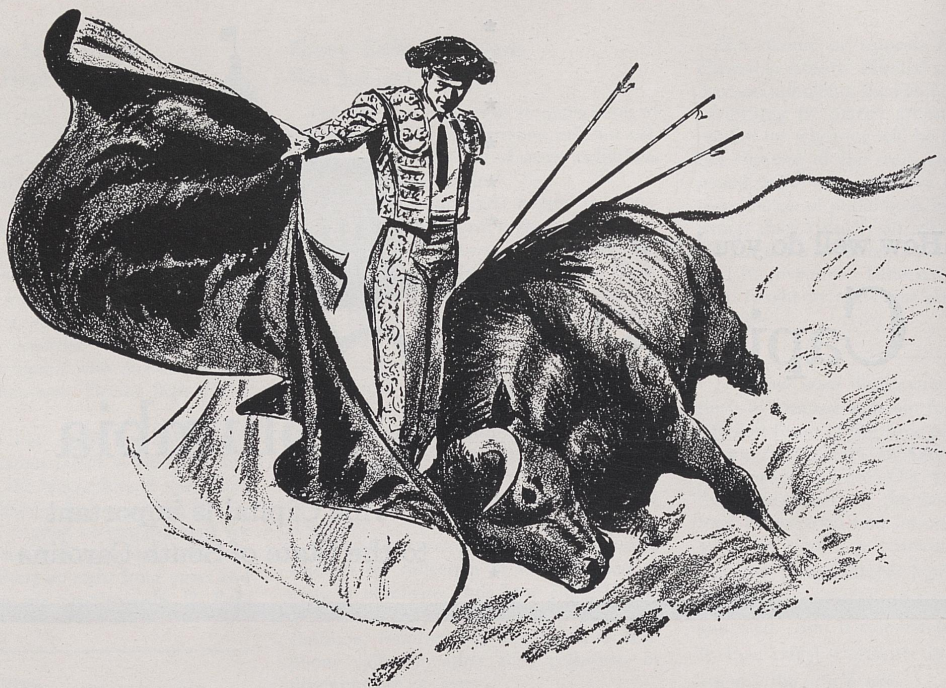
Next time thirst creeps up on you, be really refreshed... pause for Coca-Cola. The cold crisp taste of Coke is the all-time, anytime favorite in 49 states and more than 100 countries the world over.



Ask for it either way... both
trade-marks mean the same thing

SIGN OF GOOD TASTE

Copyright 1959 THE COCA-COLA COMPANY



THE FACT IS

SOME FOLKS think that bulls see red.

THE FACT IS a bull is color blind!

SOME FOLKS think that the cost of electricity is a big item in manufacturing costs.

THE FACT IS according to the Census of Manufactures, electricity averages about 1 cent out of every dollar of manufacturing cost.

For example, General Shoe Company, Danville, states: "Power cost is less than the labor to staple a buckle on a pair of shoes and buckle the strap."

The cost of electricity is "pennies" in total production costs. Since 1946, more than 600 new industries have located on KU lines in communities served by KU. Industry can't afford to be wrong when it selects a new plant location. Markets, materials, labor, transportation, housing, community services, taxes, electric power supply—all must be favorable if an industry is to survive and be successful in our competitive economy. Kentucky Utilities Company maintains dependable service . . . ample power for industry expansion . . . and regulated, uniform rates for all industry—rates and services that must be approved by the Public Service Commission.

KENTUCKY UTILITIES COMPANY

WORKING FOR A BETTER KENTUCKY

Publis



VOLUME TW
NUMBER TW

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