

Board Disregards Testimony From Harvey Matusow

WASHINGTON (AP) — The Subversive Activities Control Board (SACB) has decided not to attempt to figure out when Harvey Matusow

saw "may have been lying... and when he was telling the truth" in testimony before it.

Instead, the board has "disregarded in toto" Matusow's testimony against the Labor Youth League, while holding it to be a Communist front.

Matusow is a professed former Communist who now says he lied under oath in various court proceedings and congressional hearings.

After disregarding his testimony, the board decided the Labor Youth League is "primarily operated for the purpose of giving aid and support to the Communist Party," and directed it to register with the Justice Department as a Red front. Registration would require disclosure of its officers and finances.

The board's decision, made public Tuesday night, does not become effective until the league has exhausted its appeals to the courts for a review.

Chairman Leon Wofsy said in New York Matusow had been "the main government witness against us." He called the board finding "absolutely fantastic" and said the league will seek to have the case reopened.

On the other hand, Chairman Walter (D-Pa) said Wednesday the House Un-American Activities Committee has rechecked Matusow's testimony before the committee and found it to be true. Matusow, saying he lied in testifying before the House committee, has asked to reappear before the committee—a request Walter has denied.

NOT AN EARTHQUAKE

ALBANY, Ore. (AP) — Many residents of the Jefferson area north of here thought an earthquake had struck Wednesday, but it turned out to be a quarry explosion.

A construction company, blasting out rock for use in Santiam River bank protection work, set off eight tons of dynamite two miles south of Jefferson.

Residents said their houses were shaken, and kitchen utensils were knocked off shelves and tables.



Newspaper's Fair Criticism Privilege Upheld By Judge

CINCINNATI (AP) — The right of newspapers to make fair comment and criticism of public figures was upheld by a federal judge in a decision clearing the Cincinnati Enquirer of libel damages.

Tom McCarthy, who conducts

farm and news programs for radio station WKRC, had sued the newspaper for one million dollars, claiming he had been hurt personally and professionally by an editorial, WKRC is an affiliate of the Cincinnati Times-Star. A Common Pleas Court jury Wednesday said in effect the newspaper had the right to make its comments.

The editorial, published Feb. 26, 1953, concerned fluoridation, a public health measure supported by the Enquirer. Its proponents claim the addition of fluoride chemicals into a city's water systems aids the reduction of tooth decay in children.

Judge Joseph H. Woeste told the jurors that the editorial in itself was libelous and that it had a natural tendency to injure McCarthy's reputation as a newscaster, in a way to lessen him in public esteem.

But, he said, the jurors could find it was fair comment and criticism and "therefore was privileged under the right of freedom of speech and of the press."

Liberty of the press, he said, "has been well defined as consisting of the right to publish with impunity, the truth, with good motives, and for justifiable ends."

whether it respects government, magistracy, or individuals." But this liberty cannot be justified when it is exercised to publish libelous matter to the injury of another, unless its truth is pleaded and proved.

The court told the jurors that "fair comment or criticism is a complete defense to an action for libel."

Roger H. Ferger, publisher of the Enquirer, said the newspaper defended the libel suit "in support of the basic principle of our operations—the constitutional guarantee of freedom of the press in the free

discussion of public issues and persons involved in those issues." McCarthy said he would appeal the decision. He said he had no other comment.

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