

## GUEST EDITORIAL

By Theodore A. Serrill

Executive Vice President, National Newspaper Association

## Freedom of the Press Belongs to the People

Whoever told that nosey editor he had a right to pry into what happened at our council meeting? What gave that reporter any idea that he could write about the school board members the way he did?

The answer is that there is no law, rule, regulation or order that specifically requires a newspaper reporter to cover city council, school board or court sessions. The Constitution says — "Congress shall make no law — abridging the freedom of the press." One can search out all of the laws of the federal government, right down to the Freedom of Information bill passed by the 89th Congress, and find nothing further about "the press."

The same can be said of state law. Most constitutions recognize freedom of the press to publish news, but none particularize these rights, or set down any press responsibilities.

The newspaper is not required to report the city council meeting or send someone to the school board sessions. The reporter could stay home. Nor do laws specify that "the press" be accorded any special treatment before any public body. "Open meeting laws" never mention newspapers, reporters, or news media. They simply affirm the right of the public at large to attend and observe meetings of governing assemblies.

Mrs. Smith, then, can "cover" the city council — for her club, her neighborhood, or just for herself. The principle of open government meetings was established for the people — the resident, the voter, the taxpayer, all the governed — not solely for the press or its representatives.

Then why is it that "the right to know" and "freedom of information" always seemed to be linked with the press?

In the very early days of American settlement all of the people of a local community would gather in the town meeting and determine the affairs of the community. Almost everybody attended, and those who didn't, soon learned from the informed majority.

But villages soon grew into cities, and the "pure democracy" of the town meeting gave way to representative democracy. Government was growing more remote from the people. It was also growing more complicated. Yet the citizen, as a voter, had the same responsibility to keep himself informed.

It followed naturally that the Nation's fledgling press should fill the role of reporter and commentator on public affairs. No one passed a law requiring it. The Founding Fathers simply had faith that a private press, given the guarantee of freedom to do so, would accept the responsibility. And of course it has. For nearly two centuries newspapers have attended meetings of governing bodies, reporting and interpreting in behalf of the public.

The reporter attends city council meetings as a member of the public. He has a right to be present only if the public retains that right. The editor comments on the council's decision — or lack of them — as an ordinary citizen. While he is aided in his function by the printing press at his disposal, it gives him no special rights. He can comment only so long as the public has a privilege of commenting.

The "right to know" and "freedom of information" are concepts with which the newsman works every day. The same professional tradition which sends him to the city council meeting compels him to resist inroads on these public rights. For he knows, and the public should always realize too, that in all that he does, the newspaperman acts as a citizen, in behalf of his fellow citizens.

We have presented the above "Guest Editorial" to honor "National Newspaper Week" Oct. 8 thru Oct. 14.

## THE ANDOVER NEWS

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## 50 YEARS AGO

October 5, 1917

J. H. Backus, Publisher

E. J. Atwood has purchased the property of D. D. Remington on Pleasant Ave.

Thomas McTigue of Binghamton has purchased of Mrs. Rozanna Burrows, her residence property on Center Street.

Claude Donaldson, 23, of Hartsville died the first of the week from an injury sustained when a horse kicked him in the head.

John Dean of South Hill was in Allegany over Sunday for a visit with his daughter, May of St. Elizabeth Academy.

Mr. and Mrs. G. W. Brooks of Norwich, N. Y., came Saturday and are guests at the home of Mr. and Mrs. Dell Clair of East Valley.

Lewis Slocum of West Union visited at the home of Thomas Riley last week.

Miss Reva Clarke was home from Canisteo to pass the week-end with her parents in Independence.

Miss Lela Slocum left Tuesday evening for Olean to enter Westbrook Commercial Academy.

Mrs. Harriet Meade of Wayland is visiting her many Andover friends for a few weeks.

Tom Mulcahy of Pittsburgh, Pa. returned home Saturday after spending the week-end of his parents, Mr. and Mrs. P. Mulcahy.

Miss Elizabeth Folsing who has been spending a three weeks vacation with her parents, Mr. and Mrs. M. Folsing, returned Monday to her duties in the German Hospital in New York City.

Mr. and Mrs. Charles Foster motored to Rochester Sunday and were guests of relatives.

Mr. and Mrs. Earl Slocum of Hornell are visiting his parents for a few days.

Mrs. Chas Calhoun visited her sister, Mrs. James Yeomans of Bradford from Saturday until Monday.

Mrs. Frank Ryan returned to her home in Allegany, Pa. Wednesday after spending a few days guests of her parents, Mr. and Mrs. P. Mulcahy.

## 40 YEARS AGO

October 7, 1927

J. H. Backus &amp; Son, Publishers

Mrs. Mary Dawson, 38, died Monday, October 3rd. Her husband, her mother, a brother and three sisters survive.

Samuel Albert Smith, 77, died at the home of his sister, Mrs. Ernest E. Orvis Saturday, October 1st. Two daughters, two sisters and three brothers survive.

Mr. and Mrs. Ernest Greene of Cleveland were guests this past week of Mr. and Mrs. C. M. Crandall of Independence.

Mrs. John Illig left for Mahanoy City, Pa., Monday with her mother, Mrs. Pomider, who has been visiting her daughter in Independence for two weeks.

Mary Grace Radcliff has returned to her home in West Greenwood after visiting her Aunt, Eliza King at West Union.

Mrs. Delia Hunt left Andover Wednesday for Washington, D. C. to pass the winter.

Mr. and Mrs. A. R. Baker and Mrs. Mabel Bundy accompanied by A. M. Morgan, motored to Toronto, Canada Friday for a visit.

Mr. and Mrs. G. A. Bennett and Mr. and Mrs. Snyder of Rochester passed the week-end guests of their parents, Mr. and Mrs. Henry Bennett.

Mrs. Eliza Cooper is visiting at the home of Mrs. Dennis at Canisteo for a few days.

Mr. and Mrs. Henry Bennett passed from Friday until Sunday guests at the O'Dell home.

Mr. and Mrs. C. O. Tassell of Williamson, Wayne County, have been spending a few days with their nephew, Carl Tassell of Independence.

Mr. and Mrs. Lee Trowbridge left Sunday for Pulaski to spend a few days guests of their son Mr. and Mrs. O. B. Trowbridge.

Mr. and Mrs. Will Clarke, who have been visiting Andover rela-

## Home Owners Warned!

The Better Business Bureau of Western New York today warned all area residents not to contract for chimney or roof repairs with individuals soliciting from door to door before careful investigation.

The Bureau has received reports that a group of individuals are "persuading" elderly residents in the vicinity of North Buffalo to sign contracts for chimney repairs, gutter work, roofing and tree trimming, at prices far above what the jobs are worth. Some home owners reported to the Bureau they were quoted prices 3 to 5 times in excess of what the job was actually worth. For example one family was quoted a price of \$3,000 for work which, according to two reliable contractors, would cost less than \$1,000. Fortunately many home owners call the Bureau before they sign a contract, or before they pay any money.

The city of Buffalo has granted many of these operators a home improvement license. However, home owners are reminded that a City license simply means that the contractor has paid a fee for a license. The bond which the contractor is required to place protects the City, not the home owner. The practices of these contractors are being reported to the License Director's office.

With the recent flooding conditions which caused much property damage in the Southern Tier area, some of these questionable individuals may try to take advantage of a home owner's misfortune. Their only security is to do business with a contractor who has a proven record for doing quality work at a fair price. Home owners can verify an unknown contractor's reliability by checking with the Better Business Bureau before paying any money or signing any papers. Don't do business with strangers.

tives for several weeks, are spending a few days with her mother at Mosiertown, Pa., before returning to California.

Mrs. A. C. McFetridge goes to New York City Monday to attend the Grand Chapter O.E.S. as delegate from Anna McArthur Chapter No. 242.

## 30 YEARS AGO

October 1, 1937

J. H. Backus &amp; Son, Publishers

Mrs. Carrie M. Slade of Hornell spent Thursday and Friday with Mrs. W. D. Clarke and her brother Floyd Clarke.

Miss Hilda Clarke, who is attending Brockport, spent the week-end guest of her parents in Independence.

Mr. and Mrs. Roy VanSchaick of Independence are the parents of a son, Herbert Blair, born Saturday, October 1st.

Mr. and Mrs. Paul Vincent of Buffalo are spending a few days guests of her parents, Mr. and Mrs. R. E. Spicer of Independence.

Mr. and Mrs. VanCombs are the parents of a son, born Monday, September 27th.

Mr. and Mrs. William Childs are enjoying a week's vacation in Tennessee.

Dr. and Mrs. W. J. Grenolds of Westerly, Rhode Island, are visiting her brother and family, Mr. and Mrs. Floyd Vars.

Edward Cannon returned to Buffalo Thursday to enter his junior year in the University of Buffalo Medical College.

Miss Kathryn O'Donnell of Buffalo was a guest at the Rauf enbarth-Fuller home from Monday until Thursday, where she leaves for Santa Barbara, California for the winter.

Misses Roberta Church and Beatrice Sly of Genesee Normal, passed the week-end with the former's parents, Mr. and Mrs. Robert Church.

Mr. and Mrs. B. E. Johnson of Candor, were overnight guests of her brother and family, Mr. and Mrs. William Burger, Thursday and were Friday guests of her mother, Mrs. Emily Burger.

Mrs. Agnes Delaney left Wednesday for Buffalo after several weeks visit with Mrs. L. E. Jordan.

Mrs. E. N. Johnson of Niagara Falls passed the week-end with her sister and husband, Mr. and Mrs. H. G. Clark.

Commercial Printing at The News Printing House.

## Convention Viewpoint

There are 15 Articles in the proposed new New York State Constitution. Each voter will be asked to vote on acceptance of the document in the regular November election on Nov. 7.

Of primary importance to us all is the Bill of Rights. The Delegates recognized the importance of our freedoms and made the Bill of Rights the first Article in the new Constitution. It provides for freedom of religion, speech, press assembly and petition in the same language as the first amendment to the federal Constitution.

It grants us all equal protection of the law, and prohibits discrimination on the grounds of race, color, creed, religion, national origin, sex, age, or physical or mental handicap. It prevents unreasonable searches and interceptions of telephone and other communications. It spells out our basic procedural rights in criminal proceedings including the right to a trial by jury in criminal cases and the right to a preliminary examination.

It also guarantees us that none of our private property may be condemned or damaged except after a public hearing and upon a fair payment. All Andover businessmen will be glad to know that in any such condemnation payment, the fair value of the good will of a retail business must be taken into account, as provided by law.

This important Article also gives employees the right to organize and bargain collectively and guarantees a system of workmen's compensation, unemployment and disability insurance. It also authorizes the Legislature to provide for "Truth-in-lending". Every citizen of the State is granted the right to inspect the records of the state and local governments and all public authorities and, most important, the right to sue to restrain unconstitutional acts or expenditures.

The second Article of the proposed document concerns suffrage and defines the right of citizens to vote. It spells out the residency requirements and ages to vote. Basically, if you have lived in the state, county, city or village for three months and your present election district for 30 days, you can vote. The voting age is set at 21 but the Legislature can lower it to not less than 18, but may not thereafter increase it.

Another important point is that the Article prohibits property qualifications or other tests for voting except for certain special district elections and, of course requires party enrollment for voting in a primary.

The third, fourth, fifth and sixth Articles deal with the three major branches of government — the Legislature, Executive and the Judiciary. They will be discussed in the next column explaining how they work to maintain our traditional "check and balances" system.

The sixth Article describes the organization of the departments and agencies of the state, including those two which are headed by elected officials. They are the Department of Audit and Control headed by the Comptroller and the Department of Law headed by the Attorney General. Both these men will continue to be elected in the same general election as the Governor and Lieutenant-Governor. The heads of all other departments and permanent boards and commissions will be appointed by the Governor with approval by the Senate, except as otherwise provided by the Constitution.

A major section of the Article deals with the Governor's power to reorganize the state government. The Governor may submit a plan which takes effect unless disapproved by either house of the Legislature. Another change reorganizes the Public Service Commission, which is constitutionally established for the regulation of utilities. The Article also governs the creation of public authorities and defines certain aspects of their powers. For example, they may not levy taxes. Further, as a measure to protect all taxpayers, the accounts of these public authorities are made subject to enlarged supervision by the State Comptroller and his reports and recommendations are to be made public.