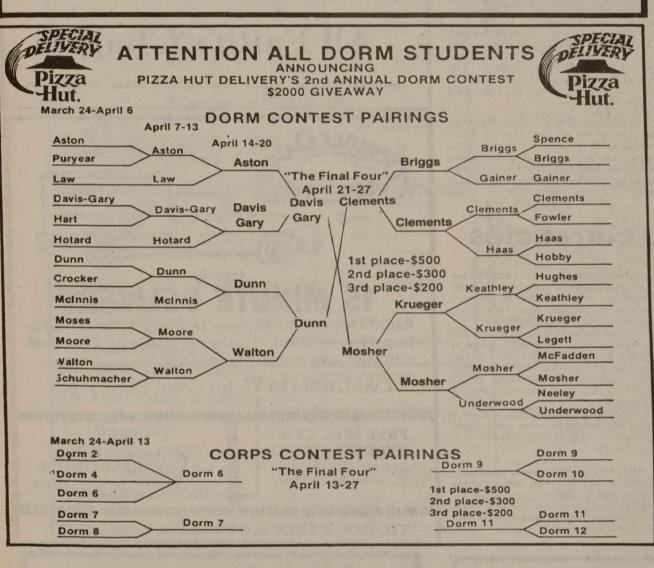
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High court: Burden of proof not media's in libel cases

news media do not have to prove the truth of defamatory statements that prompt libel lawsuits, the Supreme Court ruled Monday.

The Philadelphia Inquirer, the justices said the Constitution requires people who sue the news media to prove that the defamatory statement

about them is false.

Past rulings had established that public officials and public figures who sue for libel have the burden of proving the allegedly libelous statements were untrue. But until Monday, state laws varied over who a plaintiff or defendant — has the burden of proof when a private citizen sues the news media

Pennsylvania law had created a presumption that the defamatory

WASHINGTON (AP) - The Court said that presumption violates That alternative "could only res

newspaper publishes speech of public concern, a private-figure plaintiff cannot recover damages without also showing that the statements at issue are false." Justice Sandra Day O'Connor wrote for the court.

The justices left unanswered and Justices John Paul Stevens whether non-news media de-ron R. White and William H. R. fendants sued for libel by private citizens ever may be forced to prove the allegedly libelous statements are

O'Connor acknowledged that some people who are hurt by libelous statements may not be able to prove the statements are false.

would be to make the news media pay damages for some truthful statement is false, but the Supreme statements that cannot be proved.

a deterrence of speech which free-press rights.

"We hold that, at least where a Constitution makes free," O'Com

She was joined by Justices Will J. Brennan, Thurgood Marshal Harry A. Blackmun and Lewis

Chief Justice Warren E. Burg ron R. White and William H. Reh

quist dissented. In addition to proving an all edly libelous statement is false, vate citizens who sue must prov statement was made negligently

Public figures and public offi who sue for libel face the mored cult task of proving the statem was false and was made with "ac malice" - either with knowledge reckless disregard of its falsity.

Cuban refugees floating off coast of Florida rescued

MIAMI BEACH, Fla. (AP) —Two and tomato juice and Tabrah said sunburned Cuban refugees who said they made no mention of food they they had floated in small, rubber in- carried with them or were able to obner tubes for eight days were res- tain during their trip cued Monday 25 miles off the Florida coast after drifting more than burn and dehydration and were 250 miles over open sea.

Just two days earlier the Coast Guard had picked up three Cuban rescued three Cubans from inner men near the Florida Keys under tubes near Marathon Key. They had nearly identical circumstances.

the Immigration and Naturalization Service, said, "I'm repeatedly amazed that these Cubans are so willing to risk their lives to come week that newly arriving young Cu-here. You have to be awful desper- bans claim lack of economic opporate to try something like this.

said, "A trip like that under the con- youth ditions they've described to us could be considered a miracle

The treacherous Gulf Stream current, which regularly has 8- to 10foot waves, carried the men over 250 miles, the Coast Guard said.

The men rescued Monday were picked up by the sport fishing boat Tempris and then turned over to a Coast Guard patrol boat.

They said they survived on water into the United States.

Both were suffering from suntaken to Jackson Memorial Hospital.

On Saturday, the Coast Guard been afloat for several days and were Perry Rivkind, district director of in fair condition when rescued, Riv-

A Cuban exile leader said last bans claim lack of economic opportunity in Cuba has caused wide-Coast Guard Lt. Tom Tabrah spread disaffection among Cuban

> Cuban refugees who make it out of their communist-governed homeland generally stand little risk of deportation if they have relatives here or qualify for political asylum. However, INS has sent Cubans to such countries as Spain and Costa Rica if they first obtained visas to go to third countries and then tried to slip

Bill would stop 'legal tax evasion

cans avoid paying billions of del lars in sales tax by buying products by mail from out-of-star companies, but bills in Congress

Although mail-order customers are supposed to pay a "ux" tax equal to the sales tax in the home state, in most cases catalo companies are not required to collect it, state tax author can't force compliance and soi goes unpaid.

In 1967, the Supreme Co ruled that firms only doing busness through the mail cannot be required to collect state sales as unless they have a retail outletor some other physical presence in

Yet now, with federal ass tance waning and direct mail sale booming, states are eager to sta collecting these taxes that ha fallen between the cracks. The Direct Marketing Associ

tion estimates mail order sik were \$44.5 billion in 1983 -th last year for which figures at

U.S. Senate battling over use of filibusters

place of unfettered free speech, a legislative cockpit where a senator could rise to his feet and get off his chest anything that was on his mind.

And he could do it at whatever length he chose, and virtually whenever he chose to do it.

It was in the Senate, after all, that the word filibuster

was appropriated from the buccaneers and freebooters. It was meant to describe stemwinding Senate speeches to stop action on legislation senators opposed. But bit by bit over the decades the right of unlimited

speech in the Senate has been shaved and trimmed and Now, Sen. William Proxmire, D-Wis., says the threat

is greater than ever that the tree of Senate oratory may be cut back beyond recognition.

This week, Proxmire is celebrating two decades with-

out a missed roll call vote. That adds up to 9,178 in call votes in a row over 20 years. Proxmire also spe on the Senate floor every day the Senate is in sessi He has done so for at least 19 years.

But now the right of daily speeches is undersign Senate Majority Leader Bob Dole, R-Kan., root reduced the permitted length of speeches in the ate's traditional "morning hour" - when senators speak on any subject - from 15 minutes to five

— gavel to gavel — and they may soon be televish

If the changes Dole wants are made, Proximes on busy days it will be "too bad and tough luckfreedom to speak on that day.

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