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For immediate release

New York, N. Y., June 1 -- The publisher of LADY CHATTERLEY'S LOVER today asked Postmaster General Summerfield to suspend the Post Office ban on the D. H. Lawrence classic while he decides if the book should be barred from the mails.

The Postmaster General received the appeal today from Grove Press counsels Charles Rembar and Morton E. Yohalem. Last week, Post Office Judicial Officer Charles D. Ablard held that if he were to rule in favor of the book he would have to upset a "long standing" Post Office decision against the book. He passed the matter on to Mr. Summerfield for a final ruling which may be appealed by the publisher in court.

The publisher's appeal to Mr. Summerfield said the Judicial Officer last week would have ruled in favor of the book if no long-standing departmental decision had been involved. "It is plain that the Judicial Officer did not find this book to be obscene" under the statute applied by the Post Office in such cases, the publisher said. "If he had, that would have been the end of the matter, and there would have been no need to refer the question to you," the application added.

Today's appeal was the publisher's second request to the Post Office to suspend the ban while the question of the book's mailability was being decided. The first request, made on May 19, was turned down May 25 by Herbert B. Warburton, General Counsel of the Post Office, because he said the Post Office would make a final ruling "within two or three days."

Grove's second application to Mr. Summerfield today said that "an indefinite period of time will elapse before your own decision is made. We submit that this is most unfair to Grove. And certainly the interim continuation of the ban serves no public purpose. Many thousands of copies of the book are already outstanding. The interim lifting of the ban cannot significantly alter the situation from the point of view of the public."

In their earlier application for an interim suspension of the ban, Grove's attorneys offered to waive arguments of "prior restraint" if Grove were to appeal an adverse Post Office ruling in the courts. In today's appeal, the attorneys also offered to forego any litigating advantage which might arise from the temporary suspension of the ban.

"If a sound administration of the law and an equitable treatment of the citizens with whom the department deals indicate that the interim relief should be granted, technical maneuvering for litigating position would not stand in the way. It would ill behoove a member of the Cabinet to refuse to grant such relief because of a hypothetical -- and here, in view of the proffered waiver, actually non-existent -- litigating advantage," the publisher's attorneys said today.