

# The GUILD REPORTER

Official Organ of the American Newspaper Guild, an Affiliate of the C. I. O.

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## LABOR TO TEST NEW PICKET ACT

*Los Angeles Stirred by Law  
Passed Under High Pressure*

LOS ANGELES—The Los Angeles Guild is planning to join with other unions in a drive to force an early court test of the labor-throttling ordinance approved in the special municipal election on Sept. 16 under the pressure of an unprecedented publicity and advertising drive.

The ordinance, which carried by a vote of 198,507 to 152,065, supposedly "regulates picketing," "eliminates violence," and "protects the home and paycheck," but actually nullifies the effectiveness of picketing, practically outlaws strikes, and generally makes the National Labor Relations Act a dead issue here. It was passed at the same time that voters, in the first successful recall election in the city's history, ended the term of Mayor Frank L. Shaw by a vote of almost two to one and swept into office Fletcher Bowron, a Superior Court judge. In the recall vote the issue

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## Pact Talks Win Raises On Inquirer

PHILADELPHIA — The M. L. Annenberg management of the Philadelphia Inquirer has agreed to increase editorial department minimums above the schedule provided in the recently-expired unilateral agreement. The Guild is negotiating a new industrial contract.

Meanwhile the management and Guild have compromised upon Jan. 31, 1938, as the retroactive date for raises in the classified advertising department. The Guild claimed that the date set in earlier conferences had been Dec. 6, 1937. The major portion of the retroactive raises became effective several weeks ago, but there remained adjustments in a number of cases where the newly-established minimums fell short of meeting the 15 per cent increase granted.

Management recession from its previously-announced stand against editorial wage increases this year came in an expression of willingness to increase "the upper minimums."

The Guild committee, which is under instructions from the unit to insist not only upon wage increases but upon a Guild shop, three-week vacations, and improvement in overtime rates, accepted the management's proposal as a basis for negotiation on wages.

## \$5,000 Fund Voted By Philadelphia

PHILADELPHIA—The Philadelphia and Camden Guild, by referendum, has doubled its dues for five months, to raise a \$5,000 defense fund. The assessment is believed to be the first of its kind in the ANG, and is in line with recommendations of the Toronto Convention.

Soon after the Convention, the local Executive Council decided to set aside ten per cent of the local income for a defense fund, but Publisher J. David Stern's recent effort to impose a wage cut on the Record caused the movement to take the referendum form.

## Paper Offers Guild Shop, Asks Pay Cut

NEWARK, N. J.—The Sunday Call has expressed its willingness to grant a modified Guild shop in a contract being negotiated for editorial and commercial department employees, but has asked the Guild to lower the present minimum wage scale and to withdraw its demand for guarantees against reductions in pay.

The unit refused to consider the proposals. The negotiations are for a new contract to replace two agreements expiring Oct. 1. Unit demands included the Guild shop, lowering of the experience basis in certain wage classifications, an improved wage schedule in the commercial department, increases for experienced reporters and photographers and severance indemnity based on one week's salary for every 30 weeks of service, up to 26 weeks' pay.

The Guild shop which the management said it would accept would not require present non-Guild employees to join.

## Rehiring Rights Won in Kansas

KANSAS CITY—The Guild here last week won adjustments of dismissal pay and preferential rehiring for 16 editorial employees dismissed by the new management of the Kansas City Journal-Post.

The management, in the face of plans for a strike vote, also agreed to no further staff reductions, no reductions in salaries and immediate negotiation for a full Guild contract. The local was aided in the negotiations by ANG Representative H. Richard Seller.

The contract will contain the 5-day 40-hour week, the management agreed. The office, now on a 6-day 44-hour week, will need additional employees under the new system and a number of those on the preferred list will be brought back, the Guild believed.

### No More Cuts

Orville S. McPherson, new publisher-president of the newspaper, declared economies of \$15,000 a month were necessary to keep the newspaper operating. Payroll econ-

(Continued on Page Four)

## Suggest Hearst Chain Parley in November

With favorable response from seven large cities on the desirability of a nation-wide conference of Hearst Guild units this Fall, Executive Vice President Jonathan Eddy last week proposed that the meeting take place on the eve of the CIO National Convention. A date and place for the convention has not yet been fixed, but it is expected to be in Pittsburgh, in mid-November or later. The ANG International Executive Board will meet at that time in the same city.

Locals which have already responded favorably to the proposal for a Hearst conference include Detroit, Milwaukee, Boston, Los Angeles, Seattle, San Francisco, Chicago and New York.

## BUILDING: ITU Action Is Regarded As Blow at AFL Policy

By JONATHAN EDDY

THE International Typographical Union continues to be one of the outstanding progressive organizations in the American Federation of Labor. This fact, which is significant to both branches of today's divided labor movement, is unwelcome to President Green; and, seemingly, to the newspapers.

Printers themselves resented the manner of coverage of the recent balloting in the ITU, in which Claude M. Baker defeated the late Charles P. Howard for president. The newspaper stories were "angled" to give the impression that this was a contest simply on the AFL-CIO issue. In some sections of the country the papers have devoted a considerable amount of space to stories of a CIO-AFL conflict raging in newspaper plants between the Typos and the Guild.

Both these fallacies were exploded by the unhappy AFL president at the Typographical convention in Birmingham. He threatened, pleaded and cajoled in his efforts to get the printers to pay the extra 1-cent per capita tax voted at the Denver AFL convention last year. He made vague promises of money, strongly hinting it would be forthcoming if used to fight the Newspaper Guild.

The vote by which the Typographical Union, which is 30 years older than the AFL itself, again refused to pay the extra per capita, (Continued on Page Six)

## They Do Want It, Mr. Allen Learns

TOPEKA, Kan.—Former Governor Henry Allen, who told Sigma Delta Chi at the journalistic fraternity's convention here last year that newspapermen didn't want or need the Guild, last week found a Guild unit organized on his Topeka Journal.

A majority of his editorial staff joined, becoming a part of the local which has been in existence with membership on the Topeka Capital, newspaper owned by Senator Capper. The new unit plans to organize on an industrial basis before attempting collective bargaining. Negotiations at the Capper paper are expected to be resumed shortly. The local organization is being assisted by ANG Representative H. Richard Seller.

## Convention Clears Way For ITU Talk

Special action of the International Typographical Union shortly before it adjourned its convention in Birmingham a week ago, opened the way for acceptance of ANG Executive Vice President Eddy's proposal of a special conference to iron out any jurisdictional differences between the ITU and the Guild. In the course of debate, delegates from the "Big 6" local in New York, which last Spring issued public attacks on the Guild, disavowed implications made earlier in the convention that the Guild was not cooperating. (See story on ITU Resolutions on Page 3.)

Delegate Arche of Chicago, the other city where misunderstandings have arisen, had proposed that the International Typographical Union take into its junior apprentice group "all employees in a composing room" (excepting stenographers, bookkeepers, switchboard operators, cost and file clerks and office managers and those not connected with the composing room directly) after being employed twenty work days and not twenty consecutive work days. This law would have covered "errand boys, copy-holders, shipping clerks, etc." It further provided that "male members of this group will be given the first opportunity to become a registered apprentice." When the powerful laws committee reported this unfavorably, the convention over-rode it and referred it back for further consideration.

(Continued on Page Four)

## Industrial Unit of 348 Won In Detroit

DETROIT—The Guild's right to represent the 348 employees in the editorial, commercial and allied departments of the Detroit Times (Hearst) was certified by the National Labor Relations Board last week.

The Board upheld the Guild's contention for a single unit, turning down the management's plea for separate elections in each division. It likewise placed within the Guild unit the composing room helpers whom the local Typographical Union wished to have excluded as coming within its jurisdiction. In this the Board took cognizance of the fact that the helpers were not eligible to membership in the ITU and that no one would bargain for them if the Guild did not and it therefore acceded to the local Guild's claim.

### Shows Big Majority

Of the unit of 348 as outlined by the Board the Guild was able to show membership cards or petitions from 221, on the basis of which it received the certification. The decision forces the Detroit Times to bargain after more than eight months' delay, and the local plans to reopen negotiations immediately. It also resulted in a flood

(Continued on Page Two)

## Duluth Poll to Settle Claim of AFL Rival

DULUTH, Minn. — Stipulation for a consent election to settle the claims between the Lake Superior Guild and the Office Workers Union, an AFL affiliate organized while the Guild was striking against the Duluth Herald and News-Tribune, was agreed to last week during a National Labor Board hearing here. The stipulation establishes 129 employees as eligible to vote, listing them by name in the board record, and covers five departments, including editorial. The Guild has a solid membership of 71 and agreed to the stipulation, offered by the Office Workers Union, only after careful consideration of the probable outcome.

The petition, filed by the Office Workers Union six days after the start of the strike, challenged the (Continued on Page Two)

## Capital Reporters Deny Boake Carter Story

WASHINGTON—Boake Carter, newspaper columnist and radio news commentator, last week was accused by the White House Correspondents Association of spreading misinformation about President Roosevelt's press conferences. The charges were made in a letter written by Earl Godwin, president of the association, to the Public Ledger Syndicate which distributes Carter's column.

The letter was in answer to a recent column in which Carter charged that the President suppressed the press. Correspondents,

Carter had said, must inform the presidential press secretary before being permitted to ask questions at the press conferences.

"The trouble with this statement is that it is 100 per cent wrong," said Godwin's letter. "The White House conferences are as free as air with no restraint as to the questions asked."

He said this is not the first time "Mr. Carter has made completely erroneous statements about newspaper work in Washington," and White House correspondents "object to this kind of misinformation."

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## Unity Is CIO Session Keynote

SEATTLE—Unity was the subject of the keynote speech made here by Harry Bridges, West Coast CIO director, at a convention of Washington CIO unions which organized the Washington State Industrial Labor Union Council. Robert T. Camozzi, international Guild vice president, was elected vice president of the council and was chairman of the convention resolutions committee. The convention was attended by 250 delegates representing some 65,000 members of CIO unions.

"If the AFL and CIO do not obtain a greater degree of unity," Bridges told the convention, "we are all going to be in a sorry fix. Our major task is to bring the AFL and CIO together into one large body on a fair basis. This will be done."

"The National Labor Relations Board can handle and peacefully settle jurisdictional disputes through decisions. If the CIO wins we will be the collective bargaining agency. If the workers don't choose the CIO we will abide by the majority decision. The CIO is not in conflict with the AFL and is not raiding its membership. We want to unite with the AFL rank and file and build stronger trade unions."

Resolutions adopted called for labor unity, backed the railroad unions' fight against wage cuts, recorded the convention for international collective security, condemned the Dies Committee, declared for socialized medicine, and urged a third term for Roosevelt.

## Penn. Council Plans Second Meeting

HARRISBURG, Pa.—The Eastern Pennsylvania District Council of the ANG will meet in Harrisburg Sunday, Oct. 2, to complete its organization and to plan a program designed to develop policies and consolidate Guild gains in Eastern Pennsylvania.

At the initial meeting, when the Council was organized, Harrisburg, Wilkes-Barre, Lancaster and Reading were represented. Invitations for the next meeting were extended to Philadelphia, Lehigh Valley, Allentown, Wilmington and a number of individuals in communities where the possibilities present themselves for the formation of a Guild. Permanent officers will be elected.

### Aims Outlined

The aims of the Council, as outlined at the first meeting, are: To forward ANG aims and policies in Eastern Pennsylvania; to provide for the moral and physical support of the Guilds and Guild members in Eastern Pennsylvania; to provide a medium for the interchange of ideas and information; to provide a central organization for members at large in the area, and to advance the cause of organized labor.

## Auxiliaries Form Council in Duluth

DULUTH, Minn.—The auxiliaries of the Lake Superior Guild, United Automobile Workers, Steel Workers Organizing Committee, and the National Maritime locals have organized a Duluth Council of CIO Auxiliaries.

The first and most important project before the Council is the compiling of a directory of union label products for women sold by Duluth merchants.

Plans are also going forward to organize auxiliaries in the remaining fifteen CIO unions in the city.

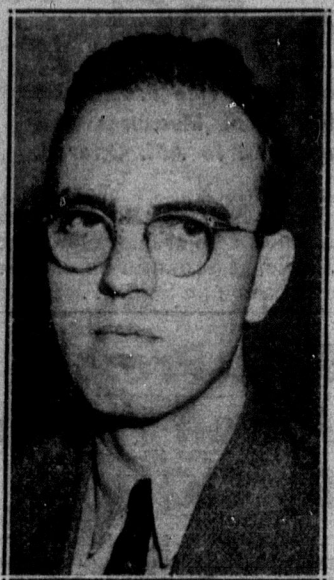
## ELECTED TO CIO POSTS



ROBERT T. CAMOZZI



DON PINKSTON



B. C. KINDIG

## ITU Convention Action Cleared Way for Parli

(Continued from Page One) Shortly thereafter Eddy made his plea on behalf of the Guild for unity (GUILD REPORTER, Sept. 19). The laws committee gave further consideration and then declared that "the general provisions of the proposition are so conflicting that the committee is unable to find any value in the proposal and the unfavorable report of the committee is renewed in the absence of any instruction from the convention." However, the laws committee introduced the following substitute, which was adopted:

The committee is not unmindful of the conditions in the large unions of the East, where certain composing room labor, not organized by the International Typographical Union, is being taken over by other organizations. Work, performed by our members in other jurisdictions, is being done by these unions. Conflicts are arising, and actions are now pending in many cities before the National Labor Relations Board to confirm to outside organizations the right to definitely understood composing room work within the jurisdiction of this union. (See NLRB Detroit Times decision, this issue.)

### Record of Discussion

It is recommended that the Executive Council thoroughly investigate this situation and take such action as is deemed necessary to preserve rights sacred to this union, and prevent the establishment of precedents which may be set up leading to injurious and dangerous conditions in composing rooms through the existence of dual unions.

The discussion in the convention as reported in the official transcript was as follows:

Delegate Griffin (New York) held his union faced with raids on its jurisdiction; have had hearings before the Labor Relations Board; tried to explain the needs of his union; thought this proposition would meet them; will go along with the report of the committee.

Delegate Moriarty (Boston) favored the report of the committee; situations are different in each local; believes the Executive Council can handle the matter.

Delegate Hay (Philadelphia) agreed with the laws committee; must protect our unions but not get in trouble; confident the international officers will look after jurisdictional rights; this is a forward movement.

Delegate Arce (Chicago) approved the report of the committee.

Delegate Coszolino (New York) supported the report of the committee; related raids are not being made on our jurisdiction; Guild ready to cooperate with international union in the matter of jurisdiction; biased members are the cause of trouble.

Delegate Griffin (New York) averred he did not say there is a fight between New York union and the Guild; the jurisdictional

question between them is before the Labor Relations Board; Guild ready to cooperate.

Delegate Tillman (Memphis) averred we cannot accuse any of raiding a jurisdiction we have never claimed; solution of the matter is in the report of the committee; favored it.

President Baker, following Tillman, said: "This perhaps should be referred to more properly as a controversy rather than a fight. Jurisdictional controversies have sometimes gone on for years and decades. There has been insufficient time to even go into the controversy, but the intention is to do so at the earliest opportunity. The position of the president in the communications of which Delegate Coszolino has copies is that it is a fundamental question and not one to be solved in haste. In my opinion it would be dangerous to the interests of our members to recognize that two unions could operate in the same room, with the same tools,

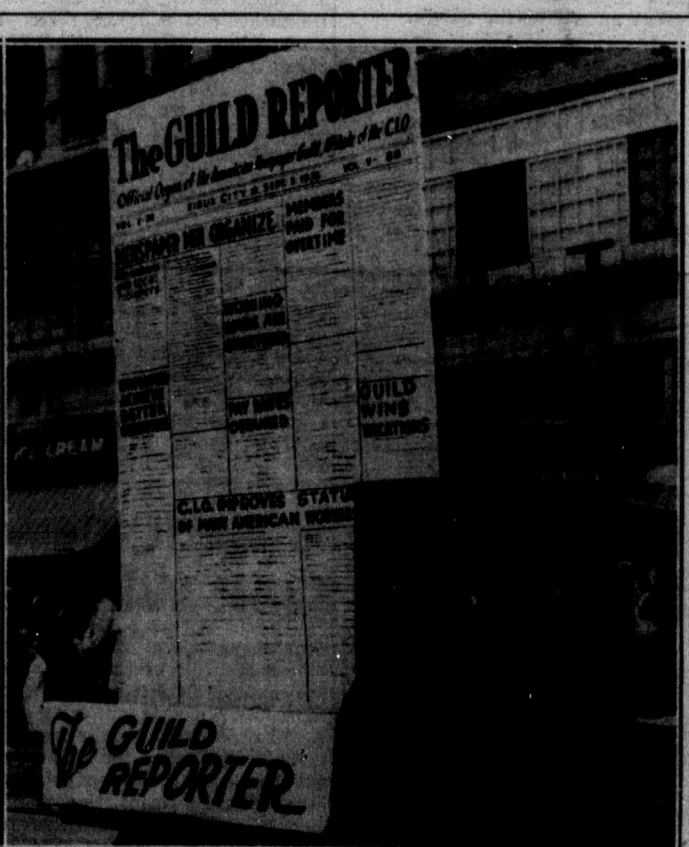
and the same material, and produce the same product, and under the same supervisor, and we will have to study this question carefully. The matter can be settled."

"The International Typographical Union does not want any other union to exercise jurisdiction over the copy-holders, for example. We claim that jurisdiction. The fact that we have been unable to establish or exercise that jurisdiction in a few cities does not mean that we yield that jurisdiction. We have a number of cities in which the proof-readers are not organized, but we say that because we have been unable to organize them on the basis of high wages, or relatively high wages, I mean, and relatively good conditions, as compared to others, that we concede that they should be given over to organizations that do not attempt to organize, or to establish anywhere near the conditions that we attempt to establish."

Delegate Sparkman (Houston) moved the previous question. The previous question was ordered.

The substitute of the committee for Proposition No. 88 was unanimously adopted.

## TELLING THE WORLD



The Guild Reporter loomed big in the Sioux City Labor Day parade. Sioux City Guildsmen had this 10-foot, offset front page as one of the leading parade features. The headlines told the city of the benefits won in the Guild shop contract that the newspaper workers here never had before—5-day 40-hour week, overtime, vacations with pay, severance pay, etc. The AFL Trades and Labor Assembly voted to invite non-affiliated unions to parade with them. A telegram from William Green refused permission and the assembly withdrew all plans for a parade. Seven AFL locals, however, defied Green and staged their own parade, with the CIO unions falling in half a block behind. City officials rode between the groups.

## Guildsmen Head CIO Council

SIoux CITY, Ia.—Two Guildsmen have been elected officers of the newly-organized Sioux City Industrial Union Council of the CIO. Don Pinkston, Guild president, was chosen president of the council and B. C. Kindig, Tribune city hall reporter, secretary. John Davidchek, packing house worker, was named vice president.

The council, as yet unchartered by national CIO headquarters, will adopt bylaws after November 1, and at that time will hold an election for officers to serve for the coming year.

Recognizing the organization of Sioux City's many industries as one of their first duties, council members also devoted their attention to critical Iowa election problems and other issues pertinent to the labor movement here.

## Rehiring Rights Won in Kansas

(Continued from Page One) omies in all departments will near \$5,000, he declared. The newspaper is said to have lost money for nearly a score of years.

In a letter requested by the Guild, McPherson made his promises of no further staff reductions, preferential rehiring, no pay cuts, and agreed to adjust "inequalities" in dismissal pay. Two employees received more pay under the adjustments.

During discussion of a contract, the new publisher declared he "wanted a good Guild contract" and said he would "agree to the 5-day 40-hour week, of course."

### Discusses Guild

McPherson, formerly an associate of Guy T. Visknicki, and recently operating as a newspaper efficiency expert on his own behalf revamping 17 southern newspapers, said he had purchased the control of the Journal-Post and intended "to make it pay." Otherwise, he declared, the newspaper would have "folded."

He declared a belief in the Guild and said: "I used to work in the editorial department myself. That's where I came from. If there had been a Guild in those days, I would have joined."

The local felt that this cleared the way for the Guild shop which will be requested in contract negotiations. At the same time it launched an organizational drive in the commercial department.

Dismissal indemnity paid those discharged ranged upwards only four weeks. The Guild is asking dismissal pay of one week for every eight months in the contract, and will seek further adjustment of the amounts paid those discharged.

### NEW LIVING NEWSPAPER

The WPA's "Living Newspaper" theatre, a project sponsored by the New York Guild, will produce George Sklar's "Life and Death of an American," a satirical play about medicine, this Fall. The play will be one of thirty planned for the season, it was announced by George Kondolf, under whose direction the project staged such successes as "... one third of a nation ...," "Haiti," "On the Rocks," and "Prologue to Glory."

Kondolf estimated that approximately 80 per cent of the project's resources and personnel will go into "off Broadway" production this Fall, as part of the development of a neighborhood program which will carry the theatre to New York City's millions during the winter months.

PAY YOUR DUES AND ASSESSMENTS! THEY BUILD THE GUILD!

## Add News Romance—The Wirephoto Man

A Newcomer to Our Field, He Is Learning That Glory of News Chase Pays No Bills

A NEWCOMER has arrived in the newspaper field who is going through all the jumps of the romantic tradition. In the last few years he has had all the exhilaration of contact with world-shaking news, and now he is beginning to think seriously about his grocery bills.

He is the wire picture operator, the technician brought in from the electrical field to put the photographs on the wire at the scene of the news or supervise the receipt of them in the newspaper office.

Of course the operator (like the regular newspaper correspondent) spends most of his time attached to a permanent station but when the big story breaks at some other point in his territory, he packs his portables and goes to it.

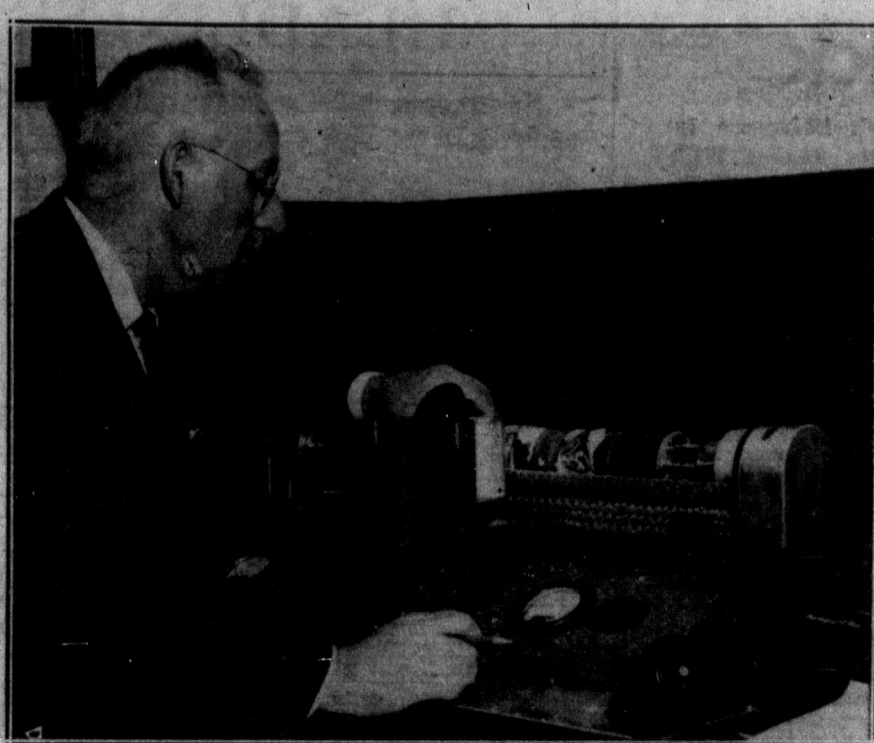
These operators work on the four principal wire-picture services—Associated Press, International News Photos, Acme and Wide World. They may be called at any time of day or night to board a chartered airplane and cover an air disaster, flood, or other cataclysm.

When the airplane crashed near Roseman, Mont., in mid-winter last year, the INP man in Seattle, Herman Wuerfel, was called. He took a plane to Billings, located a driver who was willing to take his chances on the snow drifts, reached the scene and had his pictures on the wires within 16 hours after he left home.

### THEIR EQUIPMENT WEIGHS 100 POUNDS

Wire-picture men are always on the heels of President Roosevelt, no matter how remote is the town in which he is speaking. The world is waiting for their pictures and the operators have the key to the entire situation.

When portable transmission sets were first made (to enlarge the horizon which had been previously limited to hook-ups between stations on the respective networks), the term portable might have been considered a misnomer. They were portable all right, with the aid of a taxi-driver, office boy and two Red Caps, but now they have been perfected to the point where they can be carried in two suitcases weighing 50 pounds each; although the operators still claim that the railroad



SOMETHING NEW IN THE NEWS INDUSTRY  
Operator Herbert Fraatz Running a Wire Picture "Transceiver," Which Both Sends and Receives Pictures. It Is Portable and Can Be Installed for Use Within an Hour.

porters look the other way when they approach. On arriving at the hotel room, photographic studio or newspaper office where the connection is to be made, the operator must concentrate on the technique of setting-up, a delicate job in precision mechanics. If he uses tuning forks for synchronization (which permit less than 1/100,000 part deviation) then he must be sure that the forks are the exact temperature prescribed. He must also be sure that his phasing apparatus is working perfectly, that the correct current is available (and if it isn't he must transform it); and last but not least he must check with the different long distance lines out of the locality to be sure that he gets the one with the least variation and echo.

Most wire-picture men have a long technical education behind them. Some have written important studies on electrical subjects which have been published in technical journals. They talk another language, studied with reference to wave lengths, condensers, filters, kilocycles, watts, ohms and so on. Many of them operate "ham" or amateur radio stations in their leisure.

Associated Press works with a leased line system over the most extensive of the four networks and so is most often able to send its pictures directly from the offices of its client papers. It claims that the apparatus has been so perfected, and simplified that very little experience is required to operate one, and it hires inexperienced men, with a roving staff of experts to go around the country checking the equipment.

Other services, however, want technically trained men, often taking them from the large electrical companies after they have served with them several years. Wide World—the New York Times service—requires its cameramen to operate its portable machines. This is much to the distaste of both the operators and the cameramen. The latter have no great liking for spending all day covering a golf match, let us say, and then coming back

He Is a First Rate Technician and News Picture Hound—for Tops of \$45 a Week

to the office, developing their plates, printing, and then staying up for long hours of the night, transmitting the pictures to Wide World clients. The operators, on the other hand, are pushed into the background and find their opportunities for advancement curtailed.

The sacrifices of the men on the photo-wire services pay small dividends, and their pay envelopes are surprisingly small at the end of each week.

International News Syndicate pays its men from \$40 to \$45 a week. The big majority in key cities such as New York, Chicago and San Francisco are Guild members. They are kicking like steers for most pay; a matter that has become one of the main problems of the IEB Wire Service Committee of the Guild. Most of these men may be considered "all around" operators, inasmuch as they can repair their own machines and any one of them is capable of taking out the portable equipment and setting it up at an hour's notice.

Associated Press in most cases classes its operators as little more than graduate office boys. (The repair work is done by "experts.") The operators belong to the Commercial Telegraphers Union and get on an average of \$25 per week.

### HOW TO TALK A MAN OUT OF A PAY RISE

The managements have adroit arguments for keeping the pay down. (And despite their rivalry there is some conspicuous cooperation, as in the case of Wide World, a New York Times enterprise, and International Soundphotos, a Hearst agency. Hearst and Publisher Arthur Hays Sulzberger of the Times joined in fighting a patent suit; their suits have exchanged technical ideas and gadgets, and once Wide World machines were installed in Hearst offices in Los Angeles and San Francisco.)

The familiar management answer to requests for improved pay and working conditions is to cite the profit and loss figures. These make a beautiful showing because of the nature of the contract with the client. Let us consider the case of a pre-employment of a system which has been installed in a small city newspaper on the argument that its operating expenses are much less than those of a B system. The systems work under contract establishing a base price for the service (except in the case of the AP). Then the agency queries its clients on pictures, and the client pays an additional charge to cover the toll fee for the use of the line between the sending and receiving stations. This fee amounts usually to about the cost of a 20-minute telephone toll call.

### THE MEN ARE TAUGHT TO FEAR FOR JOBS

Now if the editor of the paper is working on a narrow budget, he will hold down the number of toll calls and will only order pictures of tremendous importance. The picture man will sit around for the greater part of the month (he must be constantly available), doing nothing, and then take in one picture, possibly Schmeling being kayosed by Louis. If this operator gets \$25 a week, the paper's accountant will find that this one picture had cost possibly \$170 over all and the largest single item has been the \$100 per month which had been paid the operator.

Of course there may be such a story as the Hindenburg disaster in which the operator immediately becomes the most important man on the paper. Toll expenses go up, and the operator's salary, becomes a minor item. However, when he asks for a raise he is told that the only reason his station is in existence is because they underdosed the B system, and if a raise were granted they could no longer keep down operating costs and B system would be installed, putting him out of job.

The argument of the management is becoming more and more transparent, and more and more the men turning to unionism as the remedy.

It may be pointed out that the highest wages, unsatisfactory as they are, are paid on the INP network which has the highest and most militant Guild membership.

## PAPERS IN OPEN ON WAGE-HOUR WAR

PUBLISHER opposition to the Federal Wage and Hour Act has come out into the open. Beneath activities reported in Washington, in which the publishers made efforts to have newspaper editorial workers adjudged as professionals and thus deprived of the law's benefits, a quiet campaign to bring the fight out on the legal front has been conducted.

The first manifestation came last week with word that the Federal Laws Committee of the American Newspaper Publishers' Association is meeting in New York Tuesday, Sept. 27, with executives of interstate publishers' associations to study the act "in relation to newspaper operations."

At the same time, members of the Inland Daily Press Association were circulated with an exhaustive legal opinion declaring that the law, which becomes effective on Oct. 24, is "unconstitutional" in its application to small daily newspapers. This despite the fact that the law specifically exempts only weekly or semi-weekly papers with a circulation of less than 3,000, the major part of which is within the county of publication.

The opinion was prepared by Robert C. Bassett, a Wisconsin lawyer, at the request of the Wisconsin Daily Newspaper League. Significantly, it was circulated to members of the Inland Association, which includes publishers both large and small. Also significantly, the attack upon the bill is based on points applicable with equal force to large dailies as well as small.

Bassett made it clear that his object in the brief was to corner all possibilities for evasion. There is no question in his mind as to the intent of the act. He says: "We interpret the act as allowing the possibility of its application to an employer without applying to all of his

employees. It seems clear that the act intends to cover all of the smaller dailies as employers. Publishers are engaged in "commerce" and those who produce "goods," and newspapers are "produced," all within the definitions of section 3 of the act. By these definitions does Congress designate the classes of business affected."

In his preliminary analysis, Bassett declares his belief that "the entire act is a cleverly written document in utter defiance of all pronounced and existing judicial opinion," although "it must be pointed out that there can be no positive assertion that an act is unconstitutional or otherwise until the court has spoken."

Bassett's opinion conflicts directly with one given to the Allied Daily Newspapers of Washington by Attorney J. T. Trullinger of Washington, who told his clients that the law applies to them. On one point were Bassett and Trullinger in agreement. The law leaves out in the cold the carrier boys working under the "Little Merchant" plan—the same plan which evades the child labor laws.

Contrary to widespread opinion, Bassett holds that it is possible for parties to "mutually contract themselves" beyond reach of the law. Existing contracts are safe, but those stipulating after Oct. 24 that a contract is not affected by the Wage and Hour law, are not bound by the law, according to Bassett.

To publishers asking what they should do about the act until such time as they hope it will be declared unconstitutional by Supreme Court ruling Bassett recommended the following:

- (1) Conforming with the terms of the act, as to all employees except carriers, the press and typographical rooms, until the Supreme Court under this identical act and the court makes its pronouncement based thereon. It is hard to conceive of any other type of case which would be a direct precedent for ours.
- (2) Inasmuch as the sale of papers



## Minton Hits Back At McCormick

Senator Roiled by Publisher's Reference to Crime in Indiana Politics—He Replies With Story of Tribune Part in Circulation Wars.

Answering a radio attack by Publisher R. R. McCormick of the Chicago Tribune, Senator Sherman Minton of Indiana, in a speech broadcast on Sept. 17, gave his reasons for introducing the bill seeking to make it a crime to publish as fact something a publisher knew to be false. McCormick had charged that the bill was a newspaper "gag" proposed by Minton because the Senator feared a press exposure of the "alliance between crime and politics in Indiana." Minton's reply was devoted to a large extent to a discussion "about crime and journalism, as practiced by the Chicago Tribune."

Minton said he proposed his bill as the result of a move by the American Newspaper Publishers Association to censor the radio. The newspaper owners, he said, represented him as "attacking a free press. They never said a word to you about their proposal to censor free speech on the radio. I was defending free speech that was under attack by the newspaper owners."

### Dillinger Reference

Minton said further that his bill sought merely the enactment of a Federal libel act similar to the many state laws in existence. Replying specifically to McCormick, he said:

"Mr. McCormick, in his speech, attempts to connect me up with Dillinger. Let us see whose record resembles Dillinger's, or Al Capone's. Landberg's book (a special feature) tells the story of how the Chicago Tribune and another publisher, several years ago, got into a circulation war. He tells how both sides employed gun thugs, gangsters and racketeers to increase their circulation, in which little private war people were assaulted, shot, killed and their property destroyed. I quote from Landberg's book, page 154:

"The Tribune's truck of slugs lay in wait at strategic points for the agents of the Examiner, the new name for the morning edition of the American. When they appeared, they were greeted with fusillades of shots that brought police and ambulances to the scene. The Tribune forces then resorted to counter-ambushes, with a delivery truck as a decoy. Newsboys, some of them crippled and unable to scamp to safety, were shot. Passing women were clipped by bullets."

Swaggering Bravos  
The Prosecutor at this time was a Mr. Wayman. On June 11, 1911, the Chicago Inter Ocean said of this Tribune war: "Why should not Mr. Wayman associate and at least hold up to public reproach, the men whose money nourished and sustained these bravos trained to swagger through the streets with automatic guns, in \$5,000 automobiles, wounding or killing whomever their employers disliked? But Mr. Wayman will not. He dare not. Everybody knows that."

Again I quote from Landberg's book, "On Aug. 22, 1911, Charles Galanter, a newsboy at Chicago Ave. and Babcock St., refused to take thirty additional Tribunes, which he knew he couldn't sell, and the Tribune strong arm man assaulted him, knocked him down, kicked him and dragged him up an alley—all for the circulation of the Tribune."

Before a Senate Committee in 1911, the story was told of how the circulation manager of the Tribune assaulted and threw down an elevator shaft, in the Tribune Building one of the other men of the circulation department, and then shot at him. No prosecution, no indictment, no arrest was ever made. Do you think you could get away with that in your business? You wouldn't even want to."

Suppose, Mr. McCormick, you tell the people whether Al Capone wasn't on the payroll of the Chicago Tribune at one time. Suppose you tell all the Tribune knows about the murder of Jake Lingle, your employee and friend of the underworld."

## Coast Labor Plans Test Of Picket Act

(Continued from Page One)  
was municipal corruption and Shaw was swept out by a reform wave. The CIO and many AFL locals supported Bowron, while the AFL central body officially supported Shaw.

Attending to the power of the high pressure campaign for the anti-labor ordinance it was adopted despite the declared opposition of Judge Bowron, who expressed the belief that the proposition was unconstitutional.

**Sets Impossible Conditions**  
The new law forbids picketing unless a majority of all employees, including managers, executives and department heads, vote a strike. Under it the successful strike of 23 editorial and business office employees of the Hollywood Citizen-News would have been illegal unless also voted by the other 225 employees, including the members of the mechanical unions. Should a strike be called, the strikers must forgo the aid of fellow unionists—even members of their own union—and do their own picketing. The pickets are limited to one at each entrance and secondary picketing and the carrying of banners is prohibited.

The ordinance is capped by a clause limiting a strike to 30 days' duration. After that, strikebreakers are recognized as "bona fide" employees, and the strike is over. Proposed for the State  
Generally, the ordinance is patterned on the anti-picketing initiative which will be before California voters in the November elections. A \$500 fine is the penalty for violation.

Guid members, working through the Guild-sponsored Conference on Union Rights and Labor Liberties, sent out hundreds of news releases concerning the proposition, printed tens of thousands of pamphlets exposing its provisions, and delivered numerous radio speeches against it. CIO and AFL unions were united in opposition to the measure, and it was Judge Bowron's declaration against it that brought him labor support.

The campaign for the proposition set new records for mix-ups, sententious and ordinary lying, in which the newspapers misrepresentation was an editorial in the Los Angeles Times asserting that the ordinance was "proposed by an impartial source."

Fronts for the employer group were the Citizens Committee to Regulate Picketing and Southern Californians, Inc. Other groups in the drive for passage were the openly vigilante Associated Farmers, Women of the Pacific, The Neutral Thousands, the Merchants and Manufacturers Association and the Los Angeles Chamber of Commerce.

Together these groups financed full-page ads in every Los Angeles newspaper, billboard displays, circular letters and nightly radio programs.

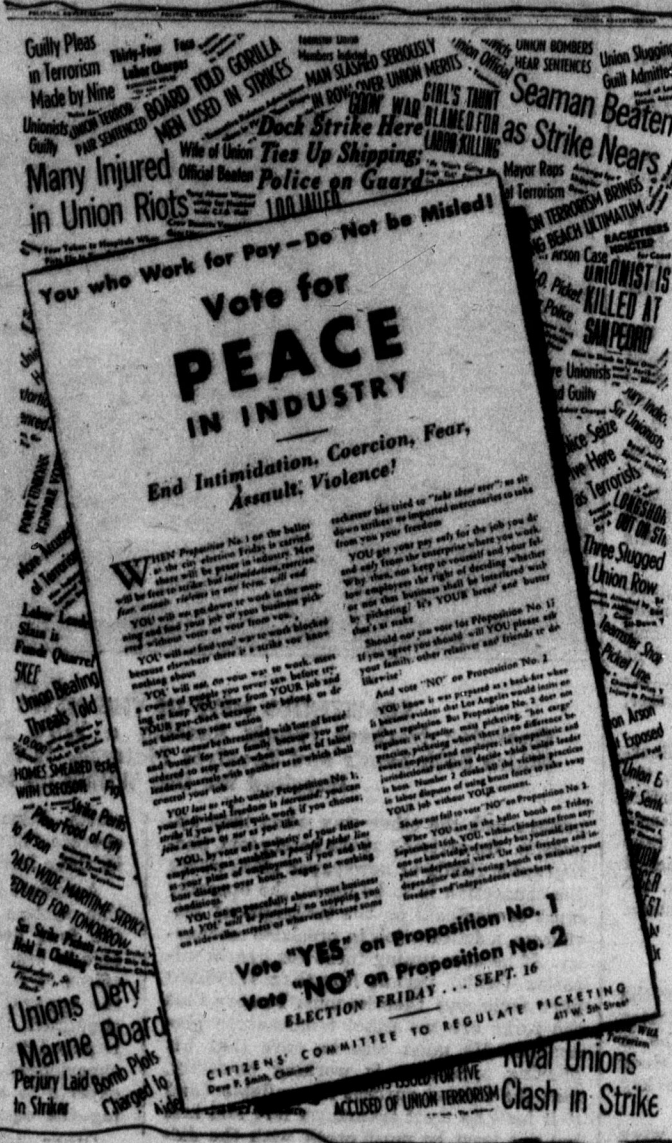
**Labor Plans Challenge**  
Labor leaders expressed the belief that the successful ordinance would not survive a court test. A provision that bars picketing unless a majority of all employees in a plant vote strike runs counter to a decision of the District Court of Appeals in June. Answering an employers' protest against picketing by clerks and butchers who plant vote strike runs counter to a decision of the District Court of Appeals in June. Answering an employers' protest against picketing by clerks and butchers who plant vote strike runs counter to a decision of the District Court of Appeals in June.

Meanwhile, Los Angeles now has a mayor who is opposed to the ordinance and upon whom its enforcement will devolve. The Lawyers Guild is cooperating with the Newspaper Guild in plans for a test case of the ordinance. Probably the first premeditated violation will take place at a downtown jewelry store, where a craft group is planning a strike. The Guild is ready to participate in mass picketing there.

**Need Hardly Point Out**  
I NEED hardly point out that the very newspapers which had rather dishonestly portrayed the recent Typo presidential election as a CIO-AFL scuffle minimized or omitted reference to the humiliation and repudiation suffered by President Green at the hands of that greatest of craft unions, the Typographers, at Birmingham.

Mr. Green has overruled his mark. He is carrying union-busting to such a degree as to be threatened by a split in his own executive

## PROPAGANDA IN HEADLINES



What could be more readily available than a hundred random clips from the daily papers when an anti-labor presentation is needed? This was an ad used in the Los Angeles campaign.

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## ITU Backs New Deal Measure

(Continued from Page Three)  
wages and hours bill, etc.

Whereas, Labor throughout the U.S. has during the past four years made tremendous gains, organizing new millions of workers, raising the standards of living for the American people, and Whereas, The American workman has benefited from pro-labor legislation and policies advanced by the President of the U.S., and

Whereas, Many of these policies favorable to the organized labor movement are constantly under attack by anti-union forces who are now engaged in a campaign to disestablish many of the agencies set up by the New Deal Administration, and Whereas, The National Labor Relations Board, the unemployment insurance, wages and hours and other measures beneficial to labor, therefore, be it

Resolved, That the 82nd convention of the ITU... expresses its approval of the pro-labor acts advanced by the administration and expresses its confidence in the President of the U.S., and be it further resolved, that this convention communicate its feeling of appreciation to President Roosevelt.

The convention endorsed the President's peace stand "in his efforts to maintain peace by quelling and opposing the aggressor nations who would destroy democracy" and "throw the world into another bloody war... in which the working people will bear the burden and suffer the deprivations and hardships."

**Hit at Poll Tax**  
Declaring that the poll tax disfranchised a majority of citizens in several of the nine states where it exists, the convention's resolution stated that "Senators and Congressmen from those states are not responsible to the majority of the citizens in their states and districts because the majority... are prevented from participating in elections" and that many of those same Senators and Congressmen "have been responsible for obstructing labor legislation," and called for repeal of the poll tax.

The resolution asking an investigation of the wire services stated: "Whereas, The Associated Press, the United Press and the International News Service have a monopoly on daily newspaper wire service; and Whereas, It is impossible for a prospective competing newspaper to obtain this wire service; and Whereas, The establishment of additional newspapers is the answer to our unemployment problem; therefore, be it

Resolved, That the International Typographical Union petition the American Federation of Labor to demand an investigation of the Federal Communications Commission, of the daily newspaper wire service controlled by AP, UP, and INS.

**Cumberland Asks Improved Pacts**  
CUMBERLAND, Md.—Officers of the Cumberland Guild have been re-elected for a second year. They are:

T. Donald Shires, Times, president; James Halloran, News, vice president; Margaret E. Coughlan, News, secretary; Richard M. McCordell, Times, treasurer.

The Guild will open negotiations with both the Cumberland Daily News and the Evening and Sunday Times for new contracts Oct. 1.

The negotiators will be Robert M. Buck, Rodney I. Southwick and Stanley Laslo, Sommer, all of the Washington Guild.

The Guild's contract proposals call for increases in salary minimums, more severance pay, a strike work clause, Guild shop, and other standard ANG provisions. Initial contracts were signed by both papers last February following extended negotiations.

**WIN STRIKE RIGHT**  
MEXICO CITY (FP)—Federal employees gained the right to organize and strike when President Cardenas' civil service bill was approved in the Chamber of Deputies by a vote of 180 to 5.

## Anti-Guild Paper Hit By Labor

RACINE, Wis.—A labor campaign against the Racine Journal-Times because of its attempts to frustrate Guild organization has been launched by the neighboring Milwaukee Guild, which helped the paper's employees start a local. The campaign was precipitated by the discharge on Aug. 12 of Lloyd Cain, most active staff organizer.

Personal financial matters of four and more years ago were cited by Publisher Frank Starbuck to support dismissal of the 13 year veteran, George Rose and Harold Marthens, officials of the United Automobile Workers, and officials of the AF of L Trades Council, accompanied President George A. Mann of the Milwaukee Guild in demanding reinstatement of Starbuck on the ground the staff has been intimidated by this discharge and other acts. The Central Councils both named committees to cooperate.

The distributors' association continues to insist that it will negotiate only on the basis of a master contract with one expiration date for all industries, and the employers' Committee of 48, usually conciliatory, has endorsed the association's stand, thereby earning the charge of being "a party to the conspiracy with the distributors." But subpoenas are being pushed for the ILWU's damage suit for \$1,000 a day in lockout pay, which is denounced by the warehouse owners as "a groundless nuisance suit"—is nevertheless the actuating cause of the sudden decision on the part of a number of firms to reopen.

Harry Bridges, international ILWU president, with the longshoremen's negotiations out of the way, has come forward with a plea for immediate settlement of the warehouse situation. In a letter to the distributors, he said: "Let's take the starch out of our necks and sit down around the conference table. If the waterfront agreement on contract renewal between the Waterfront Employers Association and the International Longshoremen's & Warehousemen's Union (CIO), is cracking in two more places, the warehouse lockout is breaking down, and for the first time recalcitrant department

## Cumberland News Gets Receiver

CUMBERLAND, Md.—Frederick A. Funderbaugh, attorney, has been appointed receiver for the Daily News Company, publisher of Cumberland's only morning newspaper, by Chief Judge D. Lindley Sloan of the Allegany County Circuit Court.

The petition for receivership stated that the company has been operating at a loss for several years and is unable to meet its financial obligations.

It was announced that the publication of the News would be continued until final disposition of the company's affairs is made under orders of the court.

The Daily News Company is controlled by the owners of the Times & Allegany Company, publishers of evening and Sunday papers, the interest having been acquired several years ago. It is reported the News has not been making money for a number of years.

According to preparations, under way for several months, it is believed the News will be moved to the Times building and both papers published under the same roof for ten months. Then he escaped and fled through France to Loyalist Spain, where he fought in

**UNION SPREADS DRIVE**  
CAMDEN, N. J. (FP)—A campaign to carry organizing campaigns into the powerful open shop shipyards at Newport News and Quincy, Mass., climaxed the fourth annual convention of the International Union of Marine and Shipbuilding Workers (CIO) which closed here Sept. 12. The two days employ almost 10,000 men.

The Guild will open negotiations with both the Cumberland Daily News and the Evening and Sunday Times for new contracts Oct. 1.

The negotiators will be Robert M. Buck, Rodney I. Southwick and Stanley Laslo, Sommer, all of the Washington Guild.

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## Employers' Front in San Francisco Breaks Down in Two More Places

SAN FRANCISCO (FP)—The united front of San Francisco employers in the current drive for the open shop, already riven by an

store owners have agreed to talk peace in face-to-face negotiations with their 6000 striking employees. Although officers of the Association of San Francisco Distributors deny a break in their ranks, 11 warehouses, most of them handling liquor, have reopened. Local President Eugene Paton of the ILWU last week said that many additional firms are either in the process of reopening or contemplating doing so soon.

**Union Files Suit**  
The distributors' association continues to insist that it will negotiate only on the basis of a master contract with one expiration date for all industries, and the employers' Committee of 48, usually conciliatory, has endorsed the association's stand, thereby earning the charge of being "a party to the conspiracy with the distributors." But subpoenas are being pushed for the ILWU's damage suit for \$1,000 a day in lockout pay, which is denounced by the warehouse owners as "a groundless nuisance suit"—is nevertheless the actuating cause of the sudden decision on the part of a number of firms to reopen.

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**Spanish Editor, On U. S. Tour**  
Louis de la Lombana y Foncel, editor of the only Basque Catholic Nationalist daily, "Euzkadi," and a member of the Journalists Union in Spain, is now touring the country for the Medical Bureau and North American Committee to Aid Spanish Democracy.

Lombana, a doctor of law and author of books on law and French literature, was editor of this paper and president of the "Euzkadi-Kiabatza," association of Basque culture.

Early in the rebellion his birthplace fell to Franco's forces. The editor was visited by a group of the invading forces, a petition was presented him and his signature in support of the rebellion demanded. Lombana refused and was put into jail for ten months. Then he escaped and fled through France to Loyalist Spain, where he fought in

**N. Y. Journal Unit Asks Loan Probe**  
The Journal-American unit of the New York Guild has petitioned the International Executive Board for investigation and aid in connection with the "10 per cent pay loan," accepted by the Guild members as individuals on the New York post unit recently. The unit's petition cited that the New York Guild executive committee first passed a resolution against acceptance, later rescinding the resolution and laying it before the representative assembly "as a thing done."

The petition cited in support of its request the following sections of the Constitution: Article 8, sections 5 and 15; Article 10, section 1, sub-sections a and f; article 18, sections 1, 2, 4, 7, 8, 10, 12 and 14. The sections cited cover ANG collective bargaining procedure, discipline for violation, and the duty of the IEB to enforce contract provisions where subordinate bodies have failed. The IEB was requested to "take over the matter, investigate the entire situation and seek remedial action."

**THE MAIL BOX**  
JOINT BOYCOTT COUNCIL OF THE AMERICAN JEWISH CONGRESS AND JEWISH LABOR COMMITTEE Dear Friends:

With Hitler menacing world peace, massing his huge armies to destroy Czech democracy and spreading fascism throughout Europe and the Americas, organized labor in free countries is facing more than ever the vital task of crushing Germany's economic resources in its war against democracy. As a delegate at the recent British Trade Union Congress pointed out, "Nazi Germany must be outlawed for its anti-labor and anti-semitic policies."

Unfortunately these very democracies have been contributing greatly to Hitler's war economy by being the most consistent purchasers of German goods. . . . This country is the only democratic nation which, due partly to the boycott repeatedly endorsed by American labor, has steadily decreased its share of Germany's exports. . . . Because of the vulnerable economic position of the Nazis, intensification of the boycott by the democratic nations must of necessity deal an effective blow to the scourge of Hitler aggression. May we look forward to your cooperation in connection with this matter?

Cordially yours,  
Dr. Joseph Tenenbaum,  
B. Charney Vlasek,  
Co-Chairmen,  
Joint Boycott Council.

**PAY YOUR DUES AND ASSESSMENTS! THEY BUILD THE GUILD!**

## Action Won By Labor On Housing

PHILADELPHIA (FP)—Massed pressure of organized labor and civic organizations dealt opposing realty interests a smashing blow when the city council passed an ordinance permitting the Philadelphia Housing Authority to take advantage of \$22,000,000 for low-cost housing projects in this city.

The ordinance, accepting an annual payment of \$8,500 from the local authority in lieu of taxes on three Federal Housing projects, had previously been blocked by the real estate interests. AF of L and CIO unions immediately sent a flood of telegrams, resolutions and letters demanding immediate passage.

The crowded gallery loudly boomed a representative of the Northeast Realty Board who declared the ordinance was "class legislation" and that the "majority of those living in our slums would not leave them. They like the slums."

## Memphis Joins Council, Gives \$25

MEMPHIS—Voting unanimously to affiliate with the new Southern Guild Council formed here Labor Day, the Memphis local at its September meeting decided to match the \$25 donation to the Council treasury made by the IEB through Executive Vice President Jonathan

Treasurer Paul Coppelock was instructed to transmit the \$25 at once to Malcolm Adams, Council secretary-treasurer, and in addition to begin paying the required five-cent per capita on Oct. 1.

The first Guild to ratify the Council proposal and vote participation was the Oklahoma City organization. President Edwin W. Pryor, who had attended the sessions in Memphis, submitted the Council idea to the Oklahoma City Guild Sept. 11, and reported unanimous approval.

Other southern Guilds from Washington to El Paso are expected to ratify the Council action and vote participation as rapidly as meetings are held following receipt of the official notice, which went out last week from ANG headquarters, Adams said. There was no indication that the Memphis Guild expected the special contribution in addition to the nickel per month per member to become standard policy, but Adams said the Council would be pleased to accept such donations and would use the funds in the furtherance of organization activity in the South.

## Anti-Aggression Group Formed

Formation of the American Committee for Non-Participation in Japanese Aggression was announced last week. The committee's purpose is to end "American economic assistance to Japan in its illegal invasion of China" through crystallization of public support "for appropriate unofficial and governmental action in checking the flow of munitions and credits to Japan." Initial members of the committee's national board include Dr. Edward H. Hume, director of Christian Medical Council for Overseas Work; Miss Helen Keller; Miss Josephine Schain, chairman, National Committee on the Cause and Cure of War; Mrs. Lincoln Steffens; George Fitch, secretary of the YMCA in China, and Olin D. Wannamaker, educational executive and lecturer.

The ANG Convention at Toronto endorsed the boycott of Japanese manufactured goods.

**PAY YOUR DUES AND ASSESSMENTS! THEY BUILD THE GUILD!**



## The Guild Reporter

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Editor: Clyde Beals  
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"... It shall be the duty of the GUILD REPORTER, under the supervision of the IEB, to promote in every legitimate way the policies of the ANG as established in Convention, and to confine its editorial policies to that specific program. All notices printed in the REPORTER shall constitute notices to the entire membership."—From Art. XX, Sec. 1, ANG Constitution.

GUILD REPORTER deadlines: For letters and feature material, Tuesdays; for news, Wednesdays, and bulletins on Thursdays.

### ANG International Officers

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|------------------------------------------------------------|---------------------------------------------------------------------|
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| Secretary-Treasurer                                        |                                                                     |
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| American Newspaper Guild International Headquarters        |                                                                     |
| International Vice-Presidents:                             |                                                                     |
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| Roger Irwin,<br>597 Oriole Pkwy., Toronto, Can.            |                                                                     |
| Morris Watson,<br>ANG Headquarters                         |                                                                     |
| International Representatives                              |                                                                     |
| Morgan Hull                                                | H. Richard Seller                                                   |
| International Headquarters: 1560 Broadway, New York, N. Y. |                                                                     |
| September 26, 1938                                         | Vol. V—No. 42                                                       |

## Labor Must Act

AS we go to press, Europe is being held up at the point of a gun by Hitler, with the British and French governments as his accomplices. We do not know whether the Sudeten Mountains will have passed to Hitler or whether they still stand as one of democracy's main bulwarks in Europe.

If labor had been in power in Great Britain and France, Czechoslovakia would not have been sold out. In Britain the Trades Union Congress and the Labor Party had just gone solemnly on record for resistance to Germany's aggression against Czechoslovakia. In France, where the Popular Front is still in existence but lacks control of the government, the sell-out of the little republic has so aroused the French people that the present government may fall.

Labor in all countries is the loser in Czechoslovakia's betrayal. For labor, representing the rank and file of the people, has the biggest stake in democracy. Fascism has wiped out the labor movement in Germany, Italy and Austria; it now threatens to do so in Spain and Czechoslovakia. Where next?

Whether it is Rumania or Poland or Hungary is not fundamentally important. What is important is that the governments of the principal democracies stand in fear of or in league with Hitler. Fascism is spreading virtually without resistance from them. Where will they resist if not in Czechoslovakia? That gallant little nation, where democracy is almost a religion, is a symbol for everything the democratic nations believe in. It looks today almost like the graveyard of democratic hopes.

It is now as plain as day that unless the democratic nations collectively halt Hitler soon, they will be destroyed singly. U. S. editorial writers who last week thanked God for the Atlantic Ocean were obviously whistling in the dark. They knew that Hitler and Mussolini were not through, that war involving the U. S. was not averted but brought nearer by the tossing of Czechoslovakia to the wolves.

John L. Lewis said in Mexico City a fortnight ago that

Between us and fascism there can be no peace. We dedicate ourselves, and join with the workers of the Western Hemisphere and other countries to fight our common foe and to a common end.

It was not a light or empty remark. It represents the only hope for the survival of democracy. The time is immediately at hand for American workers to co-operate with their brothers in Europe and elsewhere. As Leon Jouhaux, general secretary of the French Confederation of Labor, said last week before the League of Nations Association in New York, unity between workers in all countries could seriously impede Germany, possibly stopping her from waging a war, certainly preventing her from winning. Despite her bluffs, she needs oil and wheat. Jouhaux estimated that she had but one month's supply of the former.

If she forces a war, Labor must act to stop her.

If it is too late, if Chamberlain and Daladier have already handed her the victory, then what?

Then our self-preservation dictates the redoubling of our efforts to build a great, powerful labor movement which will at last give full expression to the political purposes of the masses of people of this country. That

## TACTICS OF LABOR FIGHTERS SUFFER TWO AIRINGS

### Company Outfit Gets Charter in Deal to Smash Mine Union

WASHINGTON.

ONE of the clearest cases in the AFL's record of betraying labor to spite the CIO has been exposed by the National Labor Relations Board.

The case involves the "Blue Card Union" formerly known as the Tri-State Union, set up three years ago by the \$18,000,000 Eagle Picher Lead Company to keep its employees from belonging to a real trade union. The outfit was later chartered by the AFL in a deal with the company to smash the International Union of Mine, Mill & Smelter Workers, CIO affiliate, in the Tri-State District in southeastern Kansas, northeastern Oklahoma and southwestern Missouri.

Now William Ringer, the Labor Board's trial examiner who conducted hearings on the case for four months, has recommended that the company be ordered to stop "encouraging" membership in the Blue Card union and cancel its contract with the outfit.

#### EMPLOYER WAS PRESIDENT

Ringer also recommended that the company be ordered to reinstate with back pay 130 striking employees and award remedial wages to 18 others.

One of the company's witnesses at the hearings was F. W. Evans, a mine operator and official of the Eagle Picher Company, described in the examiner's report as a "vigorous, rough and ready personality."

Evans was the leading figure in forming the Tri-State Metal Mine & Smelter Workers Union, as part of a back-to-work movement during a strike called by the Mine, Mill & Smelter Workers in May, 1935. The MM SW was at that time affiliated with the AFL.

Officers of the Tri-State company union were all company executives. Evans, himself, was president. A weekly newspaper put out by the Tri-State outfit published attacks on the AFL. William Green, AFL president, and other AFL officials were called "dirty blood sucking leeches," who were out to get rich at the expense of the workers.

#### HANDED OVER TO AFL

After the CIO was formed and the International was suspended by the AFL for affiliating with the CIO, the Tri-card Company union officials for a time attacked both the AFL and the CIO equally. Then after the Supreme Court declared the National Labor Relations Act constitutional, in April 1937, a sudden change took place in the company's attitude.

Two days after the Supreme Court's decision, Evans and a company attorney met with G. E. Warren, AFL representative, at Tulsa, Oklahoma, and signed an agreement handing over the Tri-State union, with its employer officials, company donated funds, and all, to the AFL.

The bloody campaign conducted by the company against the union from May, 1935, to May, 1937, was reviewed in testimony given at the Board hearings which began in December, 1937, and continued for four months. Mobs armed with pick handles raided union headquarters and smashed up the union's offices in Treece, Kansas; Picher, Oklahoma; and later in Galena, Kansas.

Union members were beaten up and driven out of town. "Guards employed by the Tri-State Union patrolled the roads, stopping, searching, and sometimes beating members of the International," the trial examiner's report stated.

will be a contribution to the welfare not only of our own country but to the waning democratic forces in Europe.

## After LaFollette?

THE work of the Senate civil liberties committee is nearing its end. Its final report is due in the Senate on Jan. 3 of next year and the task it set for itself has nearly been completed.

The thought arises, as the prospect of the conclusion of the committee's work approaches, as to what will happen to civil liberties after there is no more Senate committee? Have the labor spy agencies reformed? Have the industrialists who gave birth to and nurtured the spy and strikebreaking agencies reformed?

There is no evidence on this score in the files of the Senate civil liberties committee.

What legislation the committee will recommend to Congress as the result of its labors is not yet known. Senator LaFollette, chairman of the committee, has expressed his conviction that the National Labor Relations Act needs strengthening.

If employers obeyed the act the violations of civil liberties and the denials of labor's rights might cease. But daily resolutions are passed and demands are made for repeal or amendment—and by amendment is meant the emasculating of the labor law.

Laws, in themselves, mean nothing as the committee has so well shown. But a committee of the Senate of the United States is a different matter. Not that the power of the Senate is respected, but its hearings are open to the public and something of what is said in the hearings gets into the newspapers.

People from coast to coast find out what kind of organization Republic Steel maintains to keep its workers "happy" and they try to reconcile that conglomeration of stool pigeons and thugs with the pious statements of policy appearing in neighboring newspaper

### Suit for \$5,100,000 Against CIO Flops As Dupe Tells Story

SAN FRANCISCO.

THE man who filed a \$5,100,000 damage suit last December against the CIO, Harry Bridges, the Communist Party, the regional director of the National Labor Relations Board, a long list of movie stars and 5,000 John and Jane Does has finally told his story, reports the Federated Press, and dropped from sight again. Filing of the suit was widely publicized in the press of the country.

The suit (never brought to trial) was filed by Ivan Cox, deposed treasurer of the International Longshoremen's and Warehousemen's Union (CIO). Cox has admitted that the whole scheme was cooked up by Stanley Doyle, who is hiding out in the East from an assault warrant here. Doyle promised Cox financial security, but never paid up.

Cox now asserts that California has a state-wide fascist organization which has perfected plans for the kidnapping of Bridges, local President Henry Schmidt of the ILWU, Vice President Germaine Bulcke and two business agents. The supposed plot was to be carried out if labor trouble developed on the waterfront. A group of vigilantes selected from various towns (to prevent identification) would seize the labor leaders, take them for a ride and tar and feather them.

#### ELABORATE SPY SYSTEM

The fascist organization, Cox says, has national affiliations and a close tie with organized farmers. Doyle told him, the former union man asserts, that the fascists maintained an elaborate espionage system, with one man detailed to shadow Bridges and accompany him on plane trips.

Cox also takes credit for the secret charge against Bridges in the Dies committee proceedings. He said he informed the committee that Bridges was a member of the Communist Party and had once said, "To hell with the President of the United States." This accusation was ridiculed by Bridges.

Now penitent, Cox says he realizes that his suit was used merely for publicity purposes. He did not even know the names of most of the people he was suing, he declares. "If I have been used as the innocent dupe to charge subversive activities wrongly to these people, I want to help undo the injustice," said Cox.

#### WAS STOOLPIGON

Doyle, an attorney, has been active in California since the vigilante trials in Santa Rosa. In 1934 he was a stoolpigeon member of the Communist Party in Oregon. At present he is wanted for an attack on Ernest Besig, director of the Northern California branch of the American Civil Liberties Union. Doyle wrested a camera from Besig when police were beating pickets before the office of the German Consulate here.

How the \$5,100,000 suit was hatched with Doyle persuading him that he was cooperating with the government, is told in the words of Cox:

When I was deposed as ILWU treasurer I had in mind suing my enemies in the union for \$10,000. Stanley Doyle laughed when I told him. He told me, 'You are going to sue the Communist Party for \$5,100,000—\$5,000,000 of it to go to the state of California to pay for the losses in the waterfront strikes and \$100,000 to you for defamation of your character.' He told me he was a G-man, and showed me his credentials from Governor Martin of Oregon.

columns. Labor organizations discover the spies in their midst and likewise discover how the Citizens' Committee, ostensibly formed by the music clubs and professional associations in the community, is in reality a creature of the National Association of Manufacturers.

By far the majority of the people in this country earn their livings with their hands. They are the majority of the voters. With the knowledge of what is going on, of how vigilante committees are formed, in their hands civil liberties will be safe—far safer than in the hands of the learned judges.

No better addition could be made to the standing committees of the Senate than a committee on civil liberties, given powers and funds to haul before it for questioning those who try to deny others the rights guaranteed by the constitution. Certainly it could be more useful than some of the present standing committees.—Henry Zon in the Federated Press.

## Still to Be Solved

THE Labor Board's decision certifying the Guild as bargaining agent for the composing room helpers on the Detroit Times does not dispose of the jurisdictional issue with the International Typographical Union which is posed by this group. As the decision itself reveals, the Board would normally have certified the helpers for membership in the ITU if they were eligible for that union and if the union would take them and bargain for them. Moreover, Executive Vice President Eddy's invitation to President Baker of the ITU to hold a conference on this question is not affected by the decision. It still stands.

As Eddy said in his speech, neither the Typographical Union nor the Guild will profit by throwing brickbats at each other over this question. The best interests of the workers concerned will be served by an amicable agreement.

We trust that the conference can be held soon.