

Oakland Tribune News Staff Chooses Guild

**SFONG Wins
NLRB Vote
By 125 To 51**

Oakland, Calif.—The San Francisco-Oakland Newspaper Guild has won bargaining rights for the editorial department employees of the Oakland Tribune.

In an election set up speedily by the regional office of the National Labor Relations Board, 186 eligibles had been listed. The tally when voting closed last Thursday night showed 125 favoring the Guild, 51 voting to retain the unaffiliated Oakland Tribune Editorial Employees Association, and two voting for "no union." Four votes were challenged, two by the Guild and two by management.

SFONG officers said they would move at once to draft proposals and open negotiations for a Guild contract.

The Tribune is a seven-day paper with an evening circulation of 205,942 and a Sunday output of 236,597. It advertises the "largest home-delivered circulation in Northern California."

Ownership of the Tribune rests with the family of former U. S. Senator William F. Knowland, who last year was beaten by Edmund G. "Pat" Brown in the race for the Governor's chair.

Since that campaign, Knowland has become assistant publisher of the Tribune, which for years had been actively directed by his father. The family is known for its conservative Republicanism.

Knowland campaigned last year for the "right-to-work" referendum, at a time when the editorial association on his family's newspaper had a union shop clause in its contract.

The association has held bargaining rights at the Tribune for more than 20 years. Seven years ago some of its members tired of lagging, both in time and wages, behind the Guild-negotiated standards prevailing across the Bay in San Francisco.

They conducted a drive for Guild members and in May, 1953, a representation election was held in which the association retained bargaining rights by a count of 80 to 68. It continued to negotiate contracts patterned closely after results gained in each succeeding SFONG agreement. The latest association contract had an expiration date of October 14, 1959, and its negotiations had already started for a new term.

In September, SFONG members voted to join the Guild.

Guildsmen Back To Work As Boston Walkout Ends

Boston, Mass.—Boston Guild members returned to normal work shifts last week, when printers ended an eight-day strike against six of this city's dailies.

The walkout had caused all publishers to suspend operations, and some 750 Guild members had been notified that there was no work for them.

The printers' vote to end the strike carried by a count of 644 to 543, and provided that the unresolved issues which had led to the strike would be submitted to arbitration. The earlier vote had carried by 561 to 511, with mem-

bers shouting down a proposal to arbitrate then. The dispute was on wages and fringe benefits.

Three papers were able to get editions on the street for Saturday, November 14, the others resumed publication on Sunday or Monday.

Only the Christian Science Monitor, which has an open shop, printed as usual during the eight-day period. The Monitor declined to increase its press run, and two New York papers quickly sold out extra shipments sent in to fill the news gap. One had a special Boston news section.

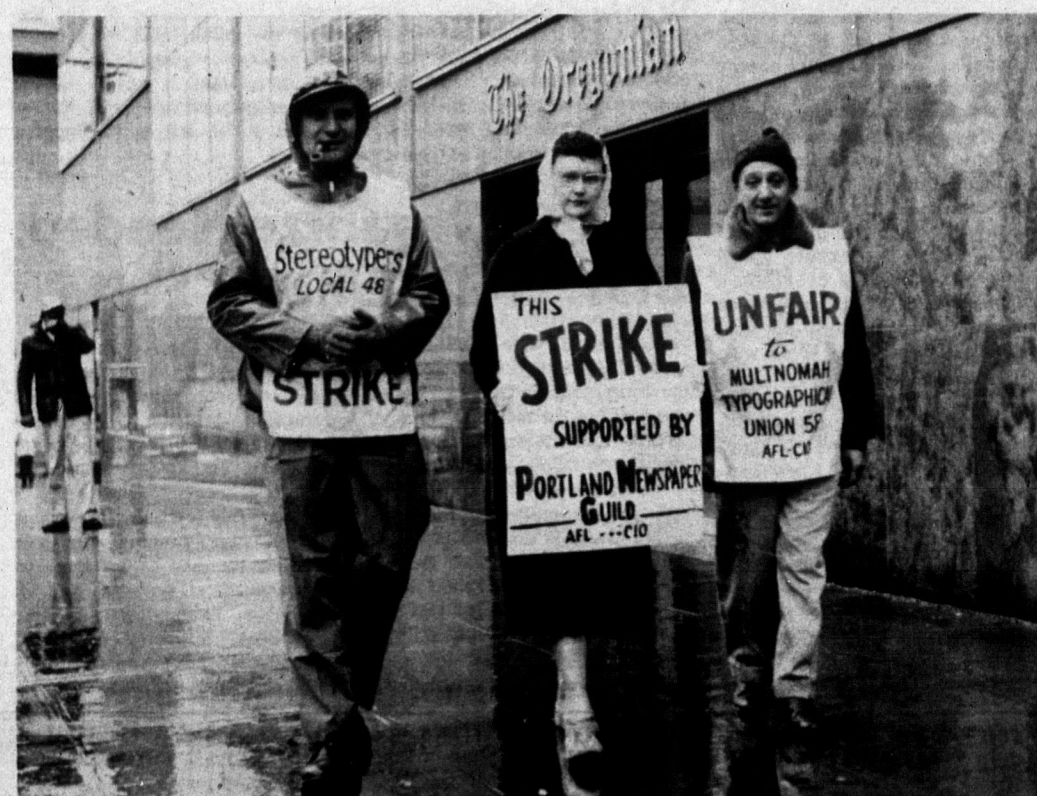
The GUILD REPORTER

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November 27, 1959

Armed Scab Crew Hits Coast Newspaper Strike



All For One: Guild member Gloria Milley symbolizes the unity of Portland, Ore., newspaper unions in the strike of the Stereotypers at the Oregonian and the Oregon Journal. Fred Pattle, left, represents the strikers on the line. Picketing for the ITU is James Allegretto of the mailers.

Portland, Ore.—A stream of professional strikebreakers from other states, imported by the Oregonian and the Oregon Journal, has helped swing public opinion behind striking stereotypers at the two papers.

The quick appearance of the scabs, some of them bearing arms, also backed up the union's contention that the strike was deliberately provoked by management as a union-busting effort.

Representatives of the two papers later told a Guild committee that henceforth they planned to operate as open shops in all departments.

The Stereotypers' Union struck at 5 a.m., Tuesday, November 5, after 18 fruitless negotiating sessions. Guild members, printers, mailers, pressmen and other crafts refused to cross the picket lines placed around the two newspaper plants. In the confusion of the first week, photoengravers continued to work, except for one day, until Saturday, when they joined officially in support of the strike.

Printers and mailers, members of the International Typographical Union, joined the picket line on the grounds that they were locked out when they found scabs had taken over their positions on the first morning of the strike.

They said they found the doors locked and guarded.

On the eve of the walkout, the Portland Guild voted 68 to 30 not to cross the stereotypers' picket lines. Only a few circulation clerks among the 165 members of the local failed to abide by the decision.

With the help of the scabs, non-union personnel and supervisors, managements of the two papers have combined to issue a hybrid daily under the flags of both the Oregonian and the Journal, hith-

ANG Moves To Void Hearst Suit

The American Newspaper Guild has replied to the \$3,100,000 libel suit brought by Hearst Consolidated Publications, Inc., against the Guild and its officers and editors by filing a motion to dismiss the complaint, on grounds of lack of jurisdiction.

The motion was filed last Monday in the U. S. District Court for the southern New York district by Attorney Max Bloom, of Schlesinger & Bloom, New York City.

On request of the ANG counsel, Irving Leuchter, of Newark. The date of Tuesday, December 1, has been set for hearing and argument on the motion.

The motion to dismiss states: "The Court lacks jurisdiction over the subject matter thereof because the controversies set forth in the complaint herein are not controversies between citizens of different states."

The motion further declares that the American Newspaper Guild, ANG President Arthur Rosenstock and the International Executive Board, named among the defendants, are "citizens" of New York State, where plaintiff claims citizenship.

Supporting the motion is an affidavit by ANG Secretary-treas-

urer Charles A. Perlik, Jr., accompanied by a list of names and addresses of 50 Guild members who are residents of New York State, ranging from Buffalo to Long Island.

The affidavit states that more than 8,000 members of the Guild reside in New York State, that ANG President Arthur Rosenstock is a resident of New York City and that he is a member of the International Executive Board, comprising the 15 officers of the

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Former Columnist Moves To Revive Brooklyn Eagle

New York City—Robert W. Farrell, a former free lance columnist for the Brooklyn Eagle, has bought the name, goodwill, files and library for a reported \$25,000 from the Schroth family, owners of the defunct daily, closed during a Guild strike in early 1955.

Farrell has announced that he will resume publication about February 1 of a six-day evening and Sunday paper, of standard format, under what Farrell termed private financing.

He has asked the New York Guild to cooperate in contacting former editorial employees of the

Eagle, in order to employ a news staff. Application blanks will be processed by the Guild, from both former employees and others interested.

Farrell's announcement followed an agreement signed by Guild counsel here, setting 28 percent as the basis of settlement of severance claims against the Schroths for about 300 covered by the former Eagle contract with the Guild. An arbiter had handed down an award for some \$780,000 due under the contract. Payment had been fought through several courts by the former publisher.

SFONG By Big Margin In Oakland Balloting

(Continued from Page 1)

bers won an impressive contract advance, after being obliged to go on strike, for a single day, to obtain it. The SFONG city-wide contract carried with it wage increases ranging from \$6 to \$16, and strengthening of many provisions. Top reporter minimum, for example, goes to \$154.50 effective next September 27, in the last adjustment for the contract term.

The gains made in San Francisco proved a potent stimulus for Guild efforts in Oakland. A staff

committee was organized, which sought and obtained help from Sam B. Eubanks, SFONG executive secretary, and his assistant, Fred Fletcher. Within three weeks in October, signatures were obtained from a majority of the 190 estimated eligibles in the Tribune editorial department.

A petition was filed shortly after November 1 and a pre-election conference of the parties agreed on the terms of a consent election. ANG assigned International Representative Loel Schrader to the final phases.

Results of the election again validate the hyphenated name of the San Francisco-Oakland Guild. There was a unit of the Guild in Oakland as early in Guild history as December 8, 1933, which antedates the actual ANG founding meeting of that same month.

\$9 Raise Won At Long Beach

Long Beach, Calif.—Pay increases of \$8 to \$9 are provided in a new two-year contract between the Los Angeles Guild and the Long Beach Independent Press-Telegram.

In the first step, effective November 23, employees earning less than \$100 receive \$4; those earning \$100 or more receive \$5. In the second year, the increase is \$4 across the board.

The contract also increases the basic mileage rate to 10 cents a mile, up from nine cents. Weekly mileage guarantees are up \$2, to \$21, for photographers and up \$3, to \$30, for district men carrying fewer than 500 papers. The guarantee for those carrying more than 500 is \$33.

In addition, janitors and drivers, formerly on a six-day week, go to a five-day week.

Robert E. Glynn, Boston, Heads 1960 Broun Award

Robert E. Glynn, a charter member of the Boston Newspaper Guild, has been appointed by the Guild's International Executive Board as chairman of the Heywood Broun Memorial Award committee for 1960.

The selection was by recommendation of the board's research and information committee, in a report approved at the October IEB meeting.

Glynn, known to all as "Eddie," is a 30-year employee of the Boston Globe, where he is a reporter-rewrite man. Only break in that job continuity was his service in World War II, and even during war time he continued news work, as a member of the Army Information Control Division, in Germany.

He was attached to the Deutsche Nachrichten-Agentur, a postwar news service which he aided in establishing, and with which he worked closely in the Bavarian sector. His contacts with the agency—DENA—led to a Guild-wide effort, sparked by the late Wilbur E. Bade, editor of the Guild Reporter, in aid of German newsmen and their families. Some \$11,000 was contributed by Guild members to buy CARE food packages, specifically designated for European members of the newspaper craft.

In the Boston local, Glynn has served as unit chairman, local secretary, and member of the Executive Committee. He was chairman of the convention committee named by the Boston Guild in 1953 when that city was host to the ANG convention. Glynn has been a delegate to the conventions at Pittsburgh, Portland, Albany, Toronto and San Jose.

Glynn was a founder of the Boston Press Club some 10 years ago, and has continued as an active leader in that organization, which has established the Amasa Howe award series for the best newspaper work done annually in Boston. Howe was like Glynn an early leader of the Boston Guild.

First duty of Glynn's committee will be preparation of a poster announcing the rules of the annual Broun competition, for distribution on bulletin boards. The 1960 award will be for work done in the calendar year 1959, in the journalistic traditions of Broun, founder and first president of the Guild.



Writing Facility: For an essay she submitted on the significance of the union label, Mrs. William Taylor, of the ANG office clerical staff, received a portable typewriter and a \$100 savings bond from Remington Rand, sponsors of the nation-wide contest. Also shown at the presentation are ANG Executive Vice President William J. Farson and T. M. Ralph, Washington district manager for the typewriter firm.

Will To Organize Needed, Blatz Tells Empire State

Newburgh, N.Y.—"Initiative is a must," leaders of Guild locals in the Empire State District Council were told in the first of a series of ANG regional organizing institutes.

"Waiting—even watchful waiting—for the unorganized to come to the Guild is not enough if we are to step up our rate of growth, achieve our goal of 50,000 members," emphasized ANG Director of Organization J. William Blatz, who conducted the conference.

"Convincing ourselves that organizing must be done, can be done, and will be done," he added, "is the first task before us this weekend. When we have done that we will thoroughly explore every facet of organizing."

Delegates, calling upon the experiences of their own locals plus those of other Guilds, concluded that additional contract benefits and protections will depend largely on how completely and fully their units are organized—on the strength of numbers and the strength of added dues income.

The forum pointed up, too, that in many cases the very survival of Guild units will depend, as it has in the past, on bringing into membership every "free rider," every unorganized department and unorganized unit, ready reservoirs of strikebreakers.

Cited as recent examples were Reno, Nev.; Columbus, Ohio, and Portland, Ore.

In Reno, "free riders" and employees in unorganized departments

helped break the strike of Reno Guildsmen. Guild bargaining rights now are threatened by a decertification petition. In Portland, where the stereotypers are on strike, employees in unorganized departments not only are performing their regular functions but also are running machines normally manned by members of the mechanical unions. And in Columbus, bargaining rights for advertising, business office and maintenance employees were lost when the Scripps-Howard Citizen contracted out all but the editorial function to the Columbus Dispatch, which is not organized in those departments.

The institute covered many aspects of organizing, beginning with the appointment of local organizing committees and including analysis of the job to be done, planning the campaign, assembling the tools, preparing approaches and appeals, using the law and preparing for management reaction.

Four more institutes are scheduled for December and January: Middle Atlantic District Council, December 5-6, in New Brunswick.

New England District Council, December 12-13, Boston.

POI District Council, January 16-17, Toledo.

Midwest District Council, January 23-24, Chicago.

Additional institutes are being arranged for other regions.

Ingersoll Buys Jersey Paper From Cranes

Elizabeth, N.J.—More than 90 percent of the stock interest in the Elizabeth Daily Journal, held for three generations by the Crane family, has been acquired by Ralph McA. Ingersoll's R. J. Company, Inc.

The purchase, Mr. Ingersoll said, will not change the operations of the Journal, a successful afternoon daily of some 52,000 circulation. Robert C. Crane, who has been editor, publisher and president, will retain his titles of editor and publisher, and his mother, Mrs. Gwen K. Crane, will remain as director of personnel, dropping her designation as chairman of the board of directors.

Ingersoll has formed a new company, Mid-Atlantic Newspapers, Inc., to hold the Journal stock.

In a statement to his employees, Crane related that the percentage of stock held by the immediately managerial members of the family had dwindled from 52 percent owned by his grandfather, Augustus S. Crane, at the time of his death in 1924, to less than 10 percent now held by Robert C. Crane and his wife.

Crane said he had joined with other stockholders in the sale, closed only after assurances had been had that the operating policies would be continued and no mergers with neighboring dailies would occur.

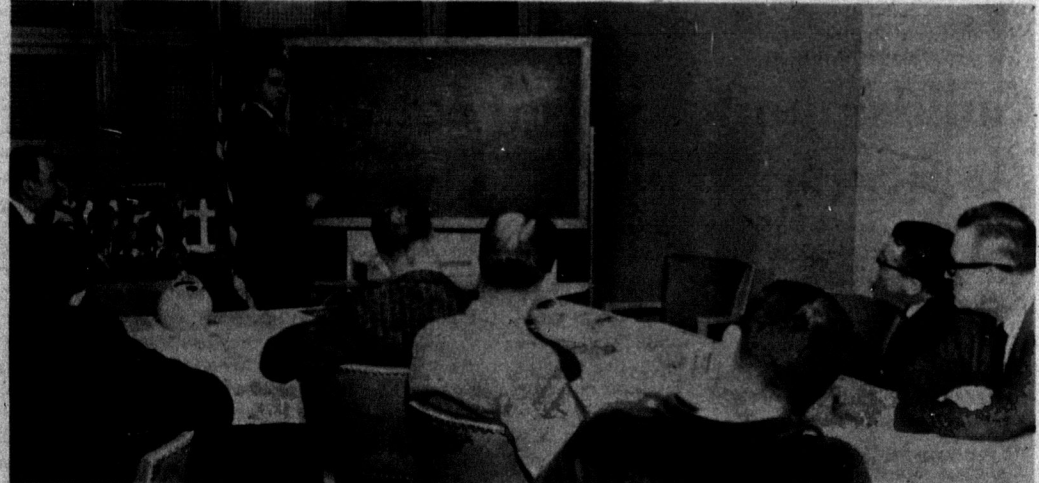
Coincident with the Journal purchase, Ingersoll sold his interests in the Middletown, N. Y. Times Herald and the Port Jervis Union-Gazette. Ingersoll retains part ownership of the Pawtucket, R. I. Times.

The North Jersey Newspaper Guild holds a contract covering its full jurisdiction at the Journal. The Pawtucket Guild contract covers Times employees in the editorial, advertising, commercial, proofreading and maintenance departments.

Civil Rights Report In Second Printing

The report of the U.S. Civil Rights Commission's first year of operations has gone into a second printing of 15,000 copies.

Reporters unable to obtain copies of the 668-page report before the first printing last September were exhausted are advised by the Commission that they are again available at \$2 from the Superintendent of Documents, Government Printing Office, Washington 25, D. C.



Organizing Know-how: Expansion of Guild membership was the discussion topic at the institute sponsored by the Empire State District Council, with the Newburgh-Bacon Guild as host. ANG

Director of Organization J. William Blatz, shown at the blackboard, demonstrates a point. At the left is Charles J. Tiano, Kingston, council president; at the far right are Jean Treacy, Utica, and Joseph G. Colangelo, International representative.

Armed Scabs In Portland, Papers Plan 'Open Shops'

(Continued from Page 1)

erto supposedly fierce competitors. The paper is being published from the plant of the Oregonian, owned by S. I. Newhouse.

The move led the Multnomah County (Portland) Central Labor Council to call for a congressional inquiry into reports that Newhouse and his Oregonian are maneuvering to take over the Journal.

It was the Oregonian's bargaining tactics that brought on the strike. The Newhouse interests insisted that the stereotypers agree in advance that only one man would be required to operate a new platemaking machine of German origin. The Oregonian management said it intends to acquire one of the machines, not yet in use in this country.

Wages never were discussed in negotiations after management stalled bargaining and refused to budge on the manning issue. By the time federal mediators entered the talks, the papers also were insisting among other things on the removal of foremen from contract coverage, an increase in the work week from 35 hours to 40 hours, and a no-strike clause for the duration of any contract.

In their propaganda campaign among readers, the two papers have pictured the stereotypers as a "featherbedding" union which demands the use of four men to operate a one-man machine.

The union, however, has offered to bypass the manning issue and proceed to other questions, with the contract to be renegotiable on manning when and if the German machine is ever purchased.

Another investigation, by a state legislative subcommittee on labor-management relations, has been demanded by Ed Whelan, executive secretary of the Central Labor Council. Whelan, a member of the legislature himself, has urged the subcommittee to gather material to strengthen Oregon laws pertaining to the importation of out-of-state strikebreakers.

The unions also have asked the U.S. district attorney here to investigate the interstate traffic of armed strikebreakers to determine if there have been violations of federal regulations.

The arms of two of the scabs—two rifles, a shotgun and a sawed-off shotgun—were confiscated by police, who were alerted by a desk clerk when the men attempted to check into a hotel with the guns. They had come here from Reno.

The Oregonian management at first denied it had brought the men to Portland, but later changed the denial to a statement that the two men were "no longer employed." The pair hurriedly left town, but dozens of others have remained, drawing a minimum of \$200 a week and expenses at Portland hotels. Some of them have been sleeping in the Oregonian building.

It was learned, too, that the papers had been training advertising and business office personnel in advance of the strike to operate mechanical equipment.

Strike strategy is in the hands of a steering committee representing all unions. ANG International Representative Charles Dale, who has been here to aid the local Guild since the first morning of the strike, has been named chairman of the coordinating body.

Staff representatives of all other affected unions also are on hand. ANG Executive Vice President William J. Farson flew here last weekend to confer with local Guild leaders and officials of other unions and to attend a membership meeting.

The Portland Guild, which represents 96 percent of reporters, desk editors and photographers in the newsroom of both dailies, has

set up headquarters for the duration of the strike in a vacant store on Broadway in downtown Portland. Committees have been organized to seek temporary employment for Guild members and their families, to administer strike benefits, to aid families with financial difficulties, and to help the strike steering committee.

Guild members have been particularly active in publicity work in behalf of the unions involved. They have kept radio, television and other media on top of strike developments and informed of the strikers' story. They have also prepared and distributed 75,000 copies of one handbill and 100,000 copies of another, with more in the works.

Most Guildsmen have been carrying out committee assignments in addition to other employment they have found since the strike started. Some of the more able-bodied male members have been working on the Portland docks through the cooperation of the longshoremen's union. Others have found temporary jobs in offices and stores around the city. Some have landed with public relations firms, and a few are working for local radio and TV stations, which have stepped up their news coverage.

Also easing the financial burden is the steady flow of contributions from other Guild locals. Seattle, San Francisco-Oakland and Los Angeles sent \$100 contributions on the basis of wire service reports of the strike before any appeal for aid was issued from Portland.

The hybrid Oregonian-Journal has been a source of both amusement and irritation.

One page of the strikebreaker contained a story which started in column five and broke back, Chinese-style, through columns four, three, two and one. Television schedules were unchanged from the previous week. Classified advertising, pasted up and photographed from electric typewriter copy, was nearly illegible. A full-page display ad for Portland's leading department store promoted a new lightweight, portable typewriter weighing "only 86 pounds."

The executives and other amateurs producing the makeshift sheet also were having circulation problems, largely as a result of snowballing subscription cancellations. Thousands of residents who cancelled subscriptions continued to receive the combined daily. Thousands of others who didn't cancel weren't getting the paper. Distribution appeared to be on a throwaway basis.

There has been no comment yet from advertisers on the plans of the papers, reported in Editor & Publisher, for double billing of space in the hybrid paper. Said the E&P story:

"Advertisers in the current issues will be billed by both newspapers at each advertiser's contract rate. An advertiser with a contract at only one of the papers will be billed by both at that contract rate."

The first few days of the strike were bitterly cold for Portland, but the weather has since moderated and pickets now face only the usual Oregon rain. Guild members have been on duty on the lines daily, with stereotypers and printers, to observe the comings and goings of strikebreakers and keep the membership informed of general activity.



Headquarters Huddle: Bob Shults, right, president of the Portland, Ore., Guild, talks over a problem with Bob Lee, left, headquarters chairman, and Lynn Wykoff, secretary-treasurer, at the strike-duration headquarters of the local in downtown Portland.

Guild Enters Motion To Void Hearst Suit

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Guild. Service of summons in the suit had been made on only two Guild officers.

The suit was filed by Hearst when the Guild Reporter in its October 23 issue published a story that the International Executive Board had renewed its request for Department of Justice inquiry into recurring reports that merger combinations would involve Hearst and Scripps-Howard dailies in New York.

Hearst declared that the Guild had maliciously injured Hearst's Journal-American, through the Guild Reporter story and through a press release on the same subject.

When the suit was filed it gained wide circulation in news stories moved by both AP and UPI wire services, articles printed in Time and Newsweek magazine press sections, and the trade weeklies, headed by Editor & Publisher, which used in full a Hearst management statement.

Hearst management repeated its denials, made earlier, that any discussions had taken place regarding a merger involving the Journal-American.

Two weeks ago the Guild issued a reply to the suit, in the form of a statement by Executive Vice President William J. Farson. An ANG news release went to all agencies to which the October 23

report had been submitted. Farson called the libel suit "nonsense" and challenged Hearst management to make its charges against the Guild "independently of its suit," so that the corporation could be held legally liable for what Farson declared was actually libel against the Guild. He denied that Hearst had been libeled.

The Farson reply was accorded full-text publication only by Editor & Publisher. United Press International moved a story, which the New York Times carried, but which got scant attention in other dailies.

Associated Press failed to file a story on the release until 24 hours after receipt. The explanation was that between the Washington and New York bureaus there had occurred a misunderstanding as to the timely status of the news release.

In New York, the Journal-American tied its story of the Farson statement to a lead based on a Printers' Ink story which broke simultaneously. That trade publication, which had in October printed the report of an impending merger, now said that investigation had proved the rumor false.

The Journal-American carried two and one-half paragraphs on the Farson statement and six paragraphs of comment thereon by Kingsbury-Smith, J-A publisher.

Explanation Of New Law Goes Out To ANG Locals

Officers of all locals will receive a lengthy memorandum from Secretary-treasurer Charles A. Perlik, Jr., relative to the application to locals of the new Labor-Management Reporting and Disclosure Act, in a mailing which ANG headquarters put out this week.

Text of the memorandum is the result of conferences between Ellis T. Baker, director of research and information, and ANG Counsel Irving Leuchter.

In addition, presidents of the locals will receive enclosures, including a full printed text of the law, a copy of the required information report form, and instructions for filling out the report.

Perlik stresses that the informa-

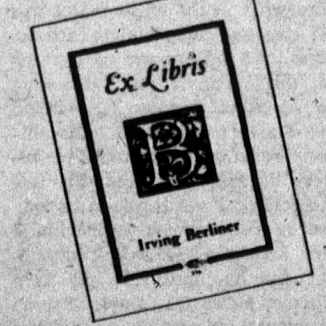
tion report must be filed before December 15. If the report is postmarked before midnight on Monday, December 14, it will be deemed timely.

A number of local officers have inquired concerning an apparent contradiction in the section requiring the bonding of union officers, Perlik said. Last week the U. S. Labor Department ruled that the requirement becomes effective at the beginning of a union's next fiscal year, on or after September 14, 1959. Most ANG locals operate on a fiscal year coinciding with the calendar year.

The law seemed to make the provision effective with the passage of the act, in September.



ROBERT E. GLYNN
Heads Broun Committee



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The Guild Reporter

CHARLES E. CRISSEY, Editor
JOHN M. BARRY, Asst. Editor

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Best Seller

An insert section of this issue of the Guild Reporter contains the full text of the new Labor-Management Reporting and Disclosure Act. It is presented in this form in order that the Guild shall not mistakenly be in compliance with the law.

A thirteen-word sentence in the measure has had the effect, doubtless uncontemplated by the framers of the law, of making the Landrum-Griffin Act a best seller.

The sentence reads:

"Sec. 105. Every labor organization shall inform its members concerning the provisions of this Act."

Like most other international unions, the Guild has read that provision to mean literally what it says. And the most direct method of "informing" the Guild membership is to place a copy of the law physically in the hands of each member, through the mailing lists of the Guild Reporter.

By way of various international union publications, several million copies of the law have already been made available to union membership. The Guild Reporter now adds to the best-selling total by some 32,000 copies.

Whether the method is the most effective, informatively, remains open to question. For the law is sometimes ambiguous, often cloudy as to intent, occasionally self-contradictory, in parts tediously specific and in other sections so broad that only test cases in the courts can develop a valid interpretation.

If members will actually read through the more than 16,000 words of the measure, possibly another uncontemplated result will follow. There may come about a realization of the venom which motivated some of the bill's supporters, and of the distance by which some of its saner advocates missed their intended mark.

Meantime Guild leaders will diligently advise local officers of the detailed steps required by this punitive law, as the needed regulations and interpretations materialize.

And with the text available, members in general may be better able to sympathize with local officers as they wrestle with the intricacies of a measure which, for the Guild as for all other decently conducted labor unions, represents nothing more than the imposition of a monstrous nuisance, costly, time-consuming, and unnecessary.

Canada, Too

Labor in Canada is a target for exactly the same kind of attacks that are being made on labor in the United States. There are some variations in method to meet conditions that happen to be different in our country, but basically the situation is the same—an all-out effort by enemies of labor to destroy or seriously weaken the organizations which working people have built to protect their interests.

—Claude Jodoin, president, Canadian Labor Congress.

Injustice Now

I believe the world is filled with wrong. I believe that men are imperfect; I believe that institutions are imperfect; I believe that we are gradually, slowly, painfully going onward and upward to something better than the world has known, but I feel there is injustice now.

—Clarence Darrow.

AMERICAN NEWSPAPER GUILD

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'It's Law; But Is It Justice?'



AN EX-EDITOR OBJECTS

Sees Press Slowing News Flow

Detroit, Mich.—What he reads in the papers isn't enough, says Carl E. Lindstrom, former editor of the Hartford Times, and now a professor of journalism at the University of Michigan.

Prof. Lindstrom took part in a debate on "Journalism Day" at Wayne University November 10. The slightly curtailed text of his presentation follows:

They are running short of coals in Newcastle!

On no other premise can I justify such a topic as "A Return to the News." There is today available to the mass public more news than ever, mainly because there are some rich, new channels. Radio began quite a long time ago to provide news, and now has greatly expanded news stuffs of its own. News weeklies now industriously practicing journalism can almost of themselves satisfy the news appetite of busy readers. Television has from the beginning been a formidable news medium.

But while these other streams of information have been gathering force the news current in newspapers has shown an alarming diminution. It may be difficult to appreciate this circumstance short of an experience such as mine in retiring from the news room to academic life.

Once, when I came to work in the morning I found on my desk a complete set of overnight proofs, a carbon copy of the entire report of our Washington bureau, the New York Times, the Christian Science Monitor and the Wall Street Journal as well as the competitive paper, The Hartford Courant. Later came the schedules of the wire services, the city, state and sports departments, a carbon copy of every local story and a stream of proofs. For additional information one could always look through the voluminous discard of telegraph copy.

So it was—then. Today the problem is different. Today "all I know is what I read in the papers." And it isn't enough.

The reasons are not hard to find, given a willingness to face facts. The most showpiece dictum in American journalism today is that a non-competitive newspaper is somehow better than a competitive one. That handy mesmerism is about as hol-

low as the declaration that competition inevitably breeds sensationalism. Some competitive newspapers out of sheer lack of resourcefulness and imagination do roll in the mud of sensation, but that proves nothing. Having operated in sharp competition with so mottlesome a newspaper as the Hartford Courant I can't accept any such nonsense.

The first observable result of newspaper monopoly operation is a redefinition of what is news. Alone in any circulation community, the editor can call his own shots as to what makes news. Inevitably he does so. Local news in particular is redefined. Even the fundamentals of birth, marriage and death are redefined. The city editor, like a Saint Peter at the pearly gates of prestige and status, carefully examines credentials of the new-born as well as the dead, and checks the marriage certificates against the parish bluebook.

Publishers who know all the answers will tell you that you can't have two separately owned newspapers in a city with a population of 180,000. In Hartford we never went in for such rigors.

In making my case that there isn't enough news in newspapers I'm going to say something about the Associated Press, not wholly in criticism except in one instance where I've got to set the record straight. I make a distinction between the Associated Press and its sole remaining competitor, UPI, because of the cooperative nature of AP. If the Associated Press is not supplying enough news it is because water cannot rise above its source. A co-operative cannot be better than the level of its members.

The AP no longer provides texts of speeches, even if the speaker happens to be the President, unless it be on wires not available to the great majority of its members. I was never able to get a text in Hartford, the answer always being the same: "We cannot move it because yours is the only paper on the circuit that wants it." Once I was invited to send over to the AP radio bureau for a text. Radio clients had it, but not the newspaper members.

Member papers seem quite complacent about this. Most of them are quite confident that there is no readership for texts of

presidential addresses. That is hardly the issue. In a democratic country, we have been endlessly reminded by editorial orators, the need of the people and their right to know is paramount. The words the President speaks should be available to whoever wants to read them.

The day of the independent grocer seems to be on the wane and perhaps it is not to be wondered at. I'm thinking of the grocer who, when you ask him for a certain product, answers: "There's no call for that." He doesn't realize that there are many things his customers have ceased to call for because they know he hasn't got it. Your readers similarly are not likely to ask for what they know you have no intention of giving them.

The analogy between newspapers and the independent grocer may be worthy of further study.

Now to straighten out the record. Last Spring I wrote for the Connecticut Bar Journal an article on the "meager and misleading"—those were the words I used—coverage by the Associated Press of the meeting in Chicago of the American Bar Association which was so widely misconstrued and misinterpreted that it was necessary for the President of the ABA to devote an entire public speech to correcting the erroneous impression that these news stories made the country over. The comprehensive and completely intelligible reports were available in the New York Times, the Herald Tribune, the Chicago Tribune and a few other papers.

Frank Starzel, general manager of the Associated Press, made a statement to Editor and Publisher somewhat to the effect that I was off base and hadn't taken into account the full report of the AP on this event. I say "somewhat to the effect" because I never did see Starzel's statement either before or after publication. I believe he made the point that the Associated Press is not to be subject to discussion in print without first presenting what you have to say for his approval. He then directed Edward L. Boyle to write a rebuttal of my piece and this was published in the Connecticut Bar Journal, in which he refers to the "many thousands of words transmitted by the AP on the Bar Association convention."

I am glad to have this opportunity to set the record straight. (Continued on Page 8)

For Guild Members

TEXT OF THE

Labor-Management Reporting and Disclosure Act of 1959

Short Title

Section 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959."

Declaration of Findings, Purpose, and Policy

Sec. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

(b) The Congress further finds that recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplemental legislation that will afford necessary protection of the rights and interests of employees and their officers and representatives.

(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

Deditions

Sec. 3. For the purposes of titles I, II, III, IV, V (except section 506), and VI of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(b) "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (48 U.S.C. 1331-1343).

(c) "Industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

(d) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, incorporated organizations, trustees, trustees in bankruptcy, or receivers.

(e) "Employees" means any employee or any group or association of employees engaged in an industry affect-

ing commerce (1) which is, with respect to labor organization engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly or indirectly as an employer or as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

(f) "Employee" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

(g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputant stand in the proximate relation of employer and employee.

(h) "Trustee" means any receiver, supervisor, or control whereby a labor organization suspends the autonomy of a subordinate body under its constitution or bylaws.

(i) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, union, association, or committee, group, association, or plan so engaged in which employees participate and which exists for the purpose or purposes of representing employees in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, or in any other activity or activities in connection with the employment of employees in an industry affecting commerce.

(j) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, union, association, or committee, group, association, or plan so engaged in which employees participate and which exists for the purpose or purposes of representing employees in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, or in any other activity or activities in connection with the employment of employees in an industry affecting commerce.

(k) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, union, association, or committee, group, association, or plan so engaged in which employees participate and which exists for the purpose or purposes of representing employees in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, or in any other activity or activities in connection with the employment of employees in an industry affecting commerce.

(l) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, union, association, or committee, group, association, or plan so engaged in which employees participate and which exists for the purpose or purposes of representing employees in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, or in any other activity or activities in connection with the employment of employees in an industry affecting commerce.

(m) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, union, association, or committee, group, association, or plan so engaged in which employees participate and which exists for the purpose or purposes of representing employees in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, or in any other activity or activities in connection with the employment of employees in an industry affecting commerce.

(n) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, union, association, or committee, group, association, or plan so engaged in which employees participate and which exists for the purpose or purposes of representing employees in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, or in any other activity or activities in connection with the employment of employees in an industry affecting commerce.

Identified with the choice expressed.

(1) "Trust in which a labor organization is interested" means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

(m) "Labor relations consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.

(n) "Officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

(o) "Member" or "member in good standing," when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

(p) "Secretary" means the Secretary of Labor.

(q) "Officer, agent, shop steward, or other representative," when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers) who are engaged in substantial independent activity, but does not include salaried non-supervisory professional staff, stenographic, and service personnel.

(r) "District court of the United States" means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

TITLE II—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Bill of Rights

Sec. 101. (a) (1) Equal Rights.—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

(2) Freedom of Speech and Assembly.—Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: Provided, That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with the performance of its legal or contractual obligations.

(3) Dues, Initiation Fees, and Assessments.—Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

(A) in the case of a local labor organization, (1) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (2) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

(B) in the case of a labor organization, other than a local labor organization, by a federation of national or international labor organizations, (1) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (2) by majority vote of the members in good standing of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: Provided, That such action to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: Provided, That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: And provided further, That no interested employer or employer association shall directly or indirectly influence, encourage, or participate in, except as a party, any such action, proceeding, appeal, or petition.

Civil Enforcement

Sec. 102. Any person whose rights secured by the provisions of this title have been infringed by any violation of this title may bring a civil action in a district court of the United States for such relief (including injunction) as may be appropriate. Any such action against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

Retention of Existing Rights

Sec. 103. Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization.

Right to Copies of Collective Bargaining Agreements

Sec. 104. It shall be the duty of the secretary or corresponding principal

officer of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officer copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

Information as to Act

Sec. 105. Every labor organization shall inform its members concerning the provisions of this Act.

TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

Report of Labor Organizations

Sec. 201. (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

(2) the name and title of each of its officers;

(3) the initiation fee or fees required from a new transferee member and fees for work permits required by the reporting labor organization;

(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership; (B) levying of assessments; (C) participation in insurance or other benefit plans; (D) authorization for disbursement of funds of the labor organization; (E) audit of financial transactions of the labor organization; (F) the calling of regular and special meetings; (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected; (H) discipline or removal of officers or agents for breaches of their trust; (I) imposition of fines, suspension, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures; (J) authorization for bargaining demands; (K) ratification of contract terms; (L) authorization for strikes; and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b).

(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year—

(1) assets and liabilities at the beginning and end of the fiscal year;

(2) the total amount of dues and initiation fees received during the fiscal year;

(3) the total amount of assessments received during the fiscal year;

(4) the total amount of expenses incurred during the fiscal year, including the salaries and wages of officers and employees; and

(5) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(6) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(7) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(8) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(9) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(10) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(11) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(12) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(13) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(14) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(15) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(16) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(17) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(18) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(19) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(20) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(21) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(22) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(23) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(24) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(25) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

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(27) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(28) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(29) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(30) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

(31) the total amount of funds disbursed during the fiscal year, including the salaries and wages of officers and employees; and

(32) the total amount of funds received during the fiscal year, including the salaries and wages of officers and employees; and

made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons employed to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (f) with respect to money or other thing of value paid by any employer to a trust fund established by such representatives for the purpose of pooled vacation, holiday, severance or similar benefits, or deferring costs of apprenticeship or other training program; Provided, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

TITLE VI—MISCELLANEOUS PROVISIONS

Investigations

Sec. 601. (a) The Secretary shall have power when he believes it necessary in order to determine whether any person has violated or is about to violate any provision of this Act (except title I or amendments made by this Act to other statutes) to make an investigation and in connection therewith he may enter such places and inspect such records and accounts and question such persons as he may deem necessary to enable him to determine the facts relative thereto. The Secretary may report to interested persons or officials concerning the facts required to be shown in any report required by this Act and concerning the reasons for failure or refusal to file such a report or any other matter which he deems to be appropriate as a result of such an investigation.

(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

Extortionate Picketing

Sec. 602. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned not more than twenty years, or both.

Retention of Rights Under Other Federal and State Laws

Sec. 603. (a) Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, shop steward, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

(b) Nothing contained in titles I, II, III, IV, V, or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles (except section 506) of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

Effect on State Laws

Sec. 604. Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault which inflicts grievous bodily injury, or conspiracy to commit any of such crimes.

Service of Process

Sec. 605. For the purposes of this Act, service of summons, subpoena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

Administrative Procedure Act

Sec. 606. The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or rescission of any rule or regulation, or any adjudication, authorized or required pursuant to the provisions of this Act.

Other Agencies and Departments

Sec. 607. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State, or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

Criminal Contempt

Sec. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary in or under this Act, or any person in connection with the jurisdiction of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen at the end of the trial in the district court of the United States, as prescribed by the law governing trials in criminal prosecutions in the district courts of the United States.

Prohibition on Certain Discipline by Labor Organization

Sec. 609. It shall be unlawful for any labor organization, or any officer, agent, shop steward, or other representative of a labor organization, or any employee thereof to fine, suspend, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act. The provisions of section 102 shall be applicable in the enforcement of this section.

Deprivation of Rights Under Act by Violence

Sec. 610. It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provision of this Act. Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

Separability Provisions

Sec. 611. If any provision of this Act or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

TITLE VII—AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

Federal-State Jurisdiction

Sec. 701. (a) Section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection: "(c) (1) The Board, in its discretion, may, by rule of decision or by published

rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction over any labor dispute involving any class or category of employees, where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction; Provided, That the Board shall not decline to assert jurisdiction over any labor dispute over which it would assert jurisdiction under the standards prevailing upon August 1, 1959.

(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

(b) Section 3(b) of such Act is amended to read as follows: "(b) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. The Board is also authorized to delegate to its regional directors its powers under section 9 to determine the unit appropriate for the purpose of collective bargaining, to investigate and provide for hearings, and determine whether a question of representation exists, and to direct an election or take a secret ballot under subsection (c) or (e) of section 9 and certify the results thereof, except that upon the filing of a request therefor with the Board by any interested person, the Board may review any action of a regional director delegated to him under this paragraph, but such a review shall not, unless specifically ordered by the Board, operate as a stay of any action taken by the regional director. A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to this subsection. The Board shall have an official seal which shall be judicially noticed."

Economic Strikers

Sec. 702. Section 8(c) (3) of the National Labor Relations Act, as amended, is amended by adding the second sentence thereof to read as follows: "Employees who are not entitled to reinstatement shall be eligible to vote under such regulations as the Board shall find are consistent with the purposes and provisions of this Act in any election conducted within twelve months after the commencement of the strike." Vacancy in Office of General Counsel

Sec. 703. Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the word "and" in the following: "In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or officers who shall act as General Counsel during such vacancy, but no person or persons so designated shall act for more than forty days after the Congress in its session unless a nomination to fill such vacancy shall be made and reported to the Senate, or after the adjournment sine die of the session of the Senate in which such nomination was submitted."

Boycotts and Recognition Picketing

Sec. 704. (a) Section 8(b) (4) of the National Labor Relations Act, as amended, is amended to read as follows: "(4) (i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities to perform any services; or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object thereof is: "(A) where the employer has lawfully recognized in accordance with this Act any other labor organization and such other labor organization is currently certified as the representative of such employees; or "(B) forcing or requiring any person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9; Provided, That nothing contained in this clause (B) shall be construed to make unlawful, where not otherwise unlawful, any primary strike or primary picketing; "(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the

representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9; "(D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work."

Provided, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: Provided further, That for the purposes of this paragraph (4) nothing contained in such paragraph shall be construed to prohibit any person from picketing for the purpose of truthfully advising the public, including consumers and members of a labor organization, that a product or products are produced by an employer with whom the labor organization has a primary dispute and are distributed by another employer, as long as such publicity does not have an effect of inducing any individual employed by any person other than the primary employer in the course of his employment to refuse to pick up, deliver, or transport any goods, or not to perform any services, at the establishment of the employer engaged in such distribution."

(b) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection: "(e) It shall be an unfair labor practice for any labor organization and any person acting on its behalf to enter into, or to induce any other employer or person to enter into, an agreement with such labor organization or person to refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any contract or agreement entered into hereunder or hereafter containing such a provision shall be null and void. Provided, That nothing in this subsection (e) shall apply to an agreement between a labor organization and an employer in the construction industry relating to the contracting or subcontracting of work to be done at the site of the construction, alteration, painting, or repair of a building, structure, or ship in such labor industry, or section 8(b)(4)(B) the terms 'any employer', 'any person engaged in commerce or an industry affecting commerce', and 'any person' when used in relation to the terms 'any other producer, processor, or manufacturer', 'any other employer', or 'any other person' shall not include persons who are engaged in the construction, alteration, painting, or repair of a building, structure, or ship in such labor industry, or section 8(b)(4)(B) the terms 'any employer', 'any person engaged in commerce or an industry affecting commerce', and 'any person' when used in relation to the terms 'any other producer, processor, or manufacturer', 'any other employer', or 'any 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Science Kits Offer Lasting Value In Gifts For Youngsters

By SIDNEY MARGOLIS
Guild Reporter
Consumer Expert

Among the busiest people in the new field of space exploration are the toy manufacturers.

But it's far better for a child if you invest your gift money in genuine science equipment than in the novelty-type toys some of the large manufacturers have produced for Christmas. You can spend \$10 for the miniature rocket launcher being advertised on TV. It sounds a siren and pops a plastic projectile into the air. This is supposed to be the hottest item in the toy industry this year (from the sellers' point of view). Or you can put that money into a microscope, astronomy kit, physics kit or other science materials of more enduring interest and learning significance.

Since most of a child's playthings for the whole year will be those he gets for Christmas, test the value this way: Can you see the child playing with this item two or three months from now? Does it teach him anything about the world around him? In the case of many mechanical toys on the market, the child's interest may barely survive for weeks.

In general, prices of toys and playthings this Christmas are no higher than last, but they are still at record levels. Competition of supermarkets and drug chains has forced some of the traditional toy retailers to offer more low-priced toys. But you have to watch quality. You can buy dolls in the big markets for \$5 or less for big 20-inch models. Just make

sure they are the preferred all-vinyl, are fully jointed and have rooted hair.

The real reason for the high price of toys is the high mark-ups. A toy that costs \$2.50 to manufacture will have a retail list price of \$8.98 or \$9.98. The retailer gets 40 percent of the list price and often also a ten percent advertising allowance. He thus pays \$5 for a \$10 toy. The manufacturer also pays a ten percent jobber's or sales commission. His own markup for administrative expense and profit typically may be \$1.50 of the \$10 list price. Thus the cost of distribution is about three times the cost of manufacturing the toy.

Nowadays many stores in the more competitive urban shopping centers do give discounts of 20-30 percent on toys. If you compare shop to shop you shouldn't have to pay more than \$7-\$7.50 for the toy that costs \$2.50 to manufacture.

This department consulted experts in educational and science materials for suggestions on values in science playthings. We haven't covered the whole field by any means, but can offer these suggestions:

► Beginner's Microscope, \$7.25; Pre-Electricity Physics Lab, \$5.95; Ultraviolet Science Lab, \$11.95; Calculus Analog Computer Kit, \$16.95 (a recent award-winning kit for age 12 and up). Available in department stores and book shops or from Science Materials Center, 59 Fourth Avenue, New York 3. You can get a catalog of these and other science materials from the center. The center includes

a free color spectroscopy worth about \$3 with orders over \$5.

► In buying a child's microscope, judge quality not only by the number of times it magnifies, but by the optical clarity and mechanical performance—how well and accurately the knobs and slides move. Some microscopes sold for children claim high magnification but otherwise are poorly constructed.

► Basic Mathematics Kit, manufactured by Harvey House, \$3, is well recommended and available in many stores; age 12 up.

► Bridge-and-Turnpike Building Set, graders and panels enable young engineers to build highways with modern cloverleafs, bridges, buildings. This new building plaything is recommended by educators. Prices: \$3 to \$10, depending on number of pieces in the set and where you buy it.

► Starmaster Astronomy Set; battery-powered kit teaches identification of constellations; about \$8-\$9 in many stores.

► Girl's Lab Technician Set by Gilbert, lists at \$12.98. The set

includes microscope, specimens, apparatus. Another Gilbert set with fewer extra materials but similar microscope costs about \$1 less.

In general, Gilbert science sets are considered fairly good in comparison with some of the other commercially-manufactured sets. Gilbert also has a new Physics Lab set with a list price of \$15, and a Star Finder with illuminated viewer and sky compass, listed at \$8.

► Photo-Micrography Set with Camera, by Skilcraft, has camera attached to photograph enlarged specimens for comparisons. Lists at about \$13.

► Beginner's Slide Rule with instruction book teaches youngsters how to use this engineering and math aid; \$1.25 at local stores or Science Materials Center.

► Book Of The Month Club has a special "Young Readers" offer of telescope and junior microscope free if you buy one "Landmark" or "Allabout" book at \$1.75 each month. You can discontinue after four months; thus get the scope, microscope and four books for \$7. Application available from Young Readers of

America, 345 Hudson St., New York 14.

► "Adventures in Science At The Smithsonian," a 24-page science book for junior-high students, gives information about many different sciences, 25 cents from Smithsonian Institution, Washington 25, D. C.

► Wildlife Kits, Games, such as Adventure Kits for collectors, \$2.95 from National Wildlife Federation, 232 Carroll St., N. W., Washington 12, D. C. The federation will send a list of gift ideas for both young and grownup nature lovers.

► Natural History Materials such as the famous "Pebble Pups" rock-specimen kit (\$1.25), also science books, are available from museums. The following will send price lists of rock, gem, insect, weather, shell and other collections and kits: Chicago Natural History Museum Book Shop, Chicago 5; American Museum of Natural History Shop, Central Park W. at 70th St., New York (also publishes Junior Natural History Magazine at \$1.75 for 14 months); Museum of Science and Industry, Jackson Park, Chicago 37.

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All
Union-Made
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for home or office, nobody but

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DIVISION OF SPERRY RAND CORPORATION
makes so many lines of quality products, union-made and union-labelled.
CALL OUR NEAREST OFFICE TODAY...IT'S IN THE "YELLOW PAGES"

SOUP TO NONSENSE

How's That?

By JANE GOODSELL, Portland, Ore., Guild

Explanations that don't seem to make things much clearer:

"He and I are related by marriage. His mother's aunt on her father's side, and my father's sister's husband are brother and sister."

"It's perfectly simple, Inspector. I knew we had our murderer when he didn't ring the doorbell when his key didn't fit in the lock. You see, he thought that Claggett had given him back the key to his own apartment, which was the one he gave Mrs. Spencer. So when Burns tried the key and found it didn't fit, he realized Claggett's mistake. What he didn't know was that Mrs. Spencer hadn't discovered the mistake, and he thought that she knew..."

"Now let's see. The bill comes to two dollars and sixty cents. You had chicken salad which is 95 cents and coffee which is ten cents, and fifteen cents for pie, which adds up to a dollar and twenty cents so if you give me two dollars and I give you 75 cents and you give me back a nickel we'll be straight except for the tip which is 35 cents so you can give me back 25 cents and I'll give you..."

"I just want to make sure you understand our car pool arrangement. Now you take the children swimming every Tuesday and Ellen brings them home, but Ellen's bridge club meets the last Tues-

day of the month so she's trading with Marge Carter, who takes them on Thursdays, and Marge wondered if you'd mind if she took them instead of bringing them home, and you could drop her Betsy off at the Singers if she isn't home by the time you get there? Just drive by her house and if her car—it's a '55 Pontiac—isn't there, you'll know..."

"Oh, don't you know how to play? Well, it's perfectly simple. Deuces, tens, red queens, and one-eyed jacks are all wild. The queen of spades puts you out of the game and, if you get the seven of hearts, you have to open..."

"The reason your car's been using so much oil is that the winch sockets were plugged up, there was a crack in the granulator and the short in the mainspring was causing a leak in the adjuster. We've fixed it all up for you, and it comes to exactly \$56.94."

"Would you mind stopping by the candy store and picking up a pound of bridge mix for me? I can't remember what they call it, but it's not the kind that has all those little spiced gumdrops. It does have gumdrops, but they're the unsipped fruity kind. Not the great big ones. They're sort of medium-sized. And don't let them palm off the expensive kind on you, the one with all the Jordan almonds. The kind I want has some Jordan almonds, but... well, I'm sure you'll recognize it when you see it."

Local Copy A PAGE FOR OFFICERS AND STEWARDS

Anti-Union Ads Hit As Editorial 'Payola'

By JOSEPH FINLEY
For Press Associates

Charleston, W. Va.—The

cancellation by railroad management of anti-union ads in the Charleston dailies "bears all the earmarks of an attempt... to make editorial support a requirement for advertising dollars," the Sunday Gazette-Mail declared editorially.

The ads were cancelled by the Association of American Railroads after an editorial in the Gazette described them as "a perfect example of statistical sludgery." The Mail, in contrast to its sister publication, was editorially sympathetic to the railroad management. Nevertheless, the ads were cancelled in both papers, they reported.

The ads were part of the AAR's \$1 million campaign in every daily newspaper and thousands of weeklies accusing the railroad unions of "featherbedding" at a cost to the public of \$500 million a year. The campaign immediately preceded the opening of contract negotiations with the unions.

The Gazette editorial that led to the cancellation was headed "Railroads Overlook Facts in Their Report." It suggested the ads were an example of "How to Lie With Statistics" and the "Madison Avenue gambit" of "slanting data to prove a point." The editorial concluded: "We don't believe... it is

Denver Presents Memorial Award

Denver, Colo.—The annual Gridiron Dinner saw the presentation of the Denver Guild's first annual George McWilliams award to two Denver newsmen.

Plaques and \$50 awards went to Charles Roos of the Denver Post for his coverage of Nikita Khrushchev's visit to the United States and to Bill Miller of the News for a series on metropolitan area sanitation problems.

The award is given in memory of George McWilliams of The Post staff who died June 17 of cancer. He was one of Denver's best-loved and most respected newspapermen.

The award is presented for work "which best exemplifies the qualities for which McWilliams was known and respected: clarity, accuracy, enterprise, objectivity, thoroughness and cleanness of style, with special weight given to entries written under pressure of deadline."

The reporter's widow, Mrs. Rosemary McWilliams, was given a standing ovation by the more than 500 guests at the dinner.

This year's show was a take-off on the "Rush to the Rockies" Centennial celebration. It was staged and directed by Jack Healy, deputy state director of revenue.

Dinner guests who were ribbed in the satirical skits included Gov. Steve McNichols, Mayor Dick Batts, U. S. Sen. John Carroll and his daughter, Diane, and U. S. Sen. Gordon Allott.

necessary to point out to persons of normal intelligence that advertisements such as that cited above do their sponsors more harm than benefit."

In response to a query from Editor & Publisher, J. Handley Wright, vice president of the AAR in charge of public relations, confirmed the cancellation and defended it on the grounds that the Association should not be expected "to buy advertising on one page only to have it denounced and discredited on the editorial page."

It was the Sunday Gazette-Mail which subsequently described the cancellation as an apparent attempt by the railroads or their advertising agency "to make editorial support a requirement for advertising dollars—or at least to buy a guarantee against editorial criticism..."

An editorial in the Gazette-Mail declared:

"Any newspaper that would sell its editorial independence to an advertiser would be worthless as an advertising medium... Be that as it may, the Charleston newspapers will continue to support the railroads when they believe them right and criticize them when they consider them wrong—and where the railroads place their ads is their business."

"Our editorials are not for sale." But the Gazette and a few other papers were exceptions in the campaign, reports Labor, the publication of the railroad unions. "Most papers that got the AAR ads have echoed the railroad propaganda in editorials," Labor charged.

The union weekly cited a private "Analysis of Newspaper Editorials on Railroad Topics," prepared by the AAR, which shows that as long ago as the second quarter of the year the nation's newspapers ran 1,055 editorials discussing the AAR charge that the railroads are hurt by union "featherbedding," "make-work" rules. Of these, the analysis reveals, 1,039 editorials or 98.5 percent espoused management's point of view.

Labor also reports that the AAR has hired three public relations firms to sell the "featherbedding" slogan to the public.

General Public Relations, Inc., of New York, a subsidiary of the Benton & Bowles agency, was hired to help work up the \$1 million newspaper ad campaign.

Gardner, Jones & Cowell, a Chicago public relations firm, was retained to insure "a favorable press" during the current national bargaining with the rail unions on wages and rules.

Finally, for master strategy, the Association has turned to Whitaker and Baxter of San Francisco. The husband and wife team of Clem Whitaker and Leone Baxter has masterminded several California campaigns for business interests and some years ago put over the "socialized medicine" scare on behalf of the American Medical Association to block national health insurance.

Election Procedures Now A Maze Of Complications

By JOSEPH FINLEY
For Press Associates

If you were to take the new labor law lightly, we could say your real fun will begin when you have your next union election. Elections will now have to be run by the rule book—and the rule book is a law that is detailed and complicated. From out of this maze of complications, certain important features emerge for local unions.

You must have elections of officers not less than once every three years. Executive board members fall within the classification of officers. Elections must be conducted by secret ballot, and any method you may use that would reveal how any person voted may subject you to legal difficulty.

One of the most important consequences of the Act relating to elections is that, by law, every member is encouraged to run for office if he chooses. "Reasonable opportunity" must be given for the nomination of candidates. Notice of election must be mailed to each member of the union not less than 15 days prior to the election. The law says you must mail notices to the last known home addresses of members. General notices posted on bulletin boards won't do, but a formal notice printed in the union's official publication will meet the requirements if the paper is mailed to the homes of all members, not merely handed out at the plant.

Any member who qualified as a candidate may bring in his own literature which the union must distribute to the members at the candidate's expense. Once within 30 days before the election, a candidate may inspect a list of all union members subject to union shop contracts. Ironically, in "right-to-work" states, this means no inspection lists at all. But candidates have no right to copy lists of members.

You may not spend dues money to promote any candidate in an election, but you may spend money for notices and factual statements of issues not involving candidates. A question has arisen as to whether you might publish statements from all candidates in your union paper, provided you give equal space.

(The language of the Act literally prohibits the present practice under the Guild's constitution of giving all candidates for ANG office equal space for statements in the GUILD REPORTER. However, in the opinion of ANG Counsel Irving Leuchter, the Act will not be applied against that practice in view of the purposes of the statute.)

Joseph T. McNulty

Philadelphia, Pa.—Joseph T. McNulty, for 27 years a sports writer and copy editor in Philadelphia, died November 12 following a long illness. He was 53 years old, a native of Philadelphia, and an active member of the Newspaper Guild here. He began newspaper work as a copy boy for the old North American, left the industry when that daily suspended, then worked 10 years for the Record and seventeen years for the Inquirer.

This is the fourth in a series of articles on the new labor law. The author, a labor attorney, formerly was assistant general counsel for the AFL. Future articles will include analyses by ANG Counsel Irving Leuchter of the effects of the law on Guild operations.

ute, but will be construed to prohibit support of one candidacy as against another.)

The criminal penalties for willful violations of many sections of the law do not apply to the title on elections. Enforcement is a complicated process, but on the whole, it is carried out through the Secretary of Labor based upon complaints from members. The Secretary would have to bring a federal court action to bring your election aside before it could be invalidated.

However, in certain instances, members may go directly into federal court to seek injunctions. If a union violates requirements for equal distribution of literature, for example, it is possible that a federal court injunction could be

strain the holding of an election.

It is not safe to consider the election provisions of this law without bearing in mind the requirements contained in Title I, the Bill of Rights. Since every member is given the right to nominate candidates, vote in elections, and express his views of candidates, and can enforce these rights by injunction suits in federal courts, elections are subjected to additional perils. Any member can thus go into court to claim violation of any of these rights before your election is held and possibly secure an injunction which might also hold up your election for indefinite periods.

All election ballots and all other election records must be preserved for one year.

If your local constitution can be amended by your executive board or by a membership meeting, you have until December 14, 1959, to amend it to conform to the law's election requirements. If you fail to amend, the law will take effect anyway.

One bit of advice: in the future, don't try to conduct local elections without having a copy of the law at hand to follow each and every requirement.

Payroll Data

Payroll summaries for the editorial departments of the Cleveland Press and the Cleveland Plain Dealer as of August 1958:

The Cleveland Press

Minimum Salary in Contract	Actual Salaries of Employees
Reporters, Photographers, Artists, Copyreaders	
6th year \$131.50	31 on step-ups 6 at \$131.50
	29 between \$131.51 and \$149.99
	28 between \$150.00 and \$174.99
	13 between \$175.00 and \$199.99
	35 at \$200 or more
2nd year \$56.60	Copy Boys
	9 on step-ups 4 at \$56.60
	1 at \$61.50
4th year \$68.50	Clerks
	3 on step-ups 2 at \$70.00
4th year \$80.00	Secretaries
	1 on step-ups 1 at \$81.00 4 at average of \$116.99
2nd year \$61.50	Telephoto Operators
	1 at \$71.50
4th year \$97.00	Assistant Chief Librarian
	1 at \$119.50

The Cleveland Plain Dealer

Minimum Salary in Contract	Actual Salaries of Employees
Reporters, Photographers, Artists, Copyreaders, Special Subject Writers, Sub-Editors, Chief Library Clerks	
6th year \$131.50	19 on step-ups 25 at \$131.50
	47 between \$131.51 and \$149.99
	29 between \$150.00 and \$174.99
	21 between \$175.00 and \$199.99
	17 at \$200.00 or more
4th year \$68.50	Editorial Clerks, Library Clerks, etc.
	4 on step-ups 2 at \$68.50 2 at average of \$79.50
4th year \$71.50	Telephone Operators
	1 at \$71.50 14 at average of \$74.79
4th year \$75.00	Stenographers
	1 on step-ups
2nd year \$56.60	Copy Boys
	8 on step-ups 3 at \$56.60



47 Years: Henry A. Sullivan (front and center, wearing bow tie) was feted by Guild members on the staff of the Salem, Mass., News on his retirement as sports editor after 47 years with the paper. Salem Guild President Jim Shea presented a watch to Sullivan, who was a charter member of the local 22 years ago.

Sees Shrinking News Hole

(Continued from Page 4)

tunity to tell Mr. Boyle and Mr. Starzel that before writing that article I had before me a complete file of every dispatch sent out by the Associated Press.

Since I still have in my possession this complete file, I have been in a position to review these reports. So having retired to my cubicle and prayed a little and re-read a great deal, I now want to change the phrase I originally wrote and which I just quoted a moment ago. Instead of saying that the AP reports were *meager and misleading*, I want to state that these reports were "shabbily inadequate" and conveyed too little of the real business of that meeting to reflect the real sense of that dramatic session.

Once again AP brass has trundled out a piece of familiar technique to confound any and all critics. If any news report is ever found lacking the stock reply is: "Well, you saw only what went into some newspaper; you didn't see what the AP sent out." AP executives are so thoroughly disciplined in this maneuver of closing ranks that nothing like it has been seen since the Macedonian Phalanx.

People do not read texts, they tell us. Yet, well they might do so. One of the most dramatic news events in recent times was the U.S. tour of Nikita Khrushchev. The performance of the American press on that occasion has been under scrutiny and criticism. Some episodes would be hard to defend. I had from the beginning a deeply disturbed feeling that too much of the coverage was not guileless of bias and distortion.

What bothered me even more was that the press, as a unit, about-faced during the tour with a disciplined precision. One began to wonder whether we had departed so far from independence of thought and action in this country that there is now a party line. The change was easily apparent as to time and cause. It came when Lodge got orders from Washington not to dispute publicly with Khrushchev. The press seemed to be of the opinion that the reason Eisenhower invited Khrushchev over here was to give them a chance to ballyrag our visitor.

When Khrushchev met with members of the United States Senate I thought, after reading wire service accounts, that I knew what was said. When, however, the New York Times provided a full text you got the whole exchange

in perspective and the picture was a materially different one.

The same thing occurred when Khrushchev met with labor officials. The wire service condensation was one thing and the text quite another. Again the New York Times provided six full columns of question and answer. I maintain that the American people have a right to know who said what when such momentous meetings are taking place. Any conventionally written Five-W account of what a speaker says is by its very nature an out-of-context report.

I commend the article in the current Reporter on the conduct of photographers during the Khrushchev tour. They behaved precisely the way they have been schooled to behave. They are not satisfied with picturing what happens. They take set-ups. The victim must kiss babies, attitudinize, wave his hands, be something other than he or she is. It isn't the fault of the photographers. They merely do as they are told by cliché-ridden, unimaginative editors. Then, to top it all off, the reporters give us verbal accounts of these false attitudes. The Reporter Magazine closed its article with a masterpiece of sage observation. It said that newspaper people who are concerned with the right of the people to know what's going on should be equally intent upon giving the news its right to happen.

It takes space to tell the news. Most papers these days are down to a 65-35 ratio of advertising to news. They are deluding themselves when they talk about a 35 percent news hole. That 35 percent news content includes masthead, cartoon continuities and panels, astrology, puzzles, advertising readers and endless diversions.

By a curious coincidence there occurred on the same day the deaths of two individuals whose lives represent opposite ends of the spectrum of popular interest. One was Bernard Berenson, the other was Mario Lanza. There would have been no takers to a bet that the former would be an inside story and the latter page one. Never have newspapers acted with such unanimity. Of course, except the New York Times, which had Berenson on page one under a two-column head and Lanza on the regular obit page in a single column.

The Times editorial also showed appreciation of the scholarship and importance of the greatest

authority of all times on Italian painters of the Renaissance and a man who had more influence than can be measured on the great museum collections in this country and Europe. It took the Times two columns to sum up his career and it was obviously done by a writer to whom the initials B.B. did not stand for Brigitte Bardot. The only other editorial I could find was in the Reporter magazine.

Am I saying that all the editors were wrong in their evaluation of these two obituaries? No, I'm really on the editors' side, but I couldn't find that there was any perception of Lanza and his career. Actually the career of Lanza was a Sophoclean tragedy—man against the fates—a man with a modicum of native talent and a voice, but not enough talent to shape his life. He couldn't adjust to a million dollars, or to Hollywood; he couldn't adjust his appetite to his waistline. He was a failure, as many people are without making news; but he was unable to take life into his own hands and shape it to his will in spite of gifts from the gods and that is the essence of tragedy. On the contrary that is precisely what Bernard Berenson did. He began with nothing—with little enough evidence even of talent—and made of himself precisely what he wanted. But that doesn't make news. You might say that his life was completely uneventful: he never fell off a mountain, was never caught in a strange bedroom or robbed a bank.

So the editors were quite right. But I was just for a moment thinking of the minority who do not ask that news be dramatic or frenzied or titillating; but who would like to read about a modern Lorenzo who influenced the lives of millions of people who didn't know they were being influenced.

I have sometimes wondered just when the rationalization began that one of a newspaper's functions was to entertain. It doesn't seem to be disputed today and yet you don't have to go very far back in the history of journalism to find that era when newspapers thought they were doing a job when they merely informed their readers what was going on and provided an editorial page for opinion. Be that as it may, I think that the mother lode of newspaper entertainment has just about been mined out. There are other mediums that do it better. I haven't any idea that the quiz show frauds are going to induce many people to shut off the TV switch.

SPEAKING OF PICTURES

The Great Debate Over Cheesecake

By LEO SOLOMON Washington Guild

Three veterans of New York ship news have come up with "positive" identifications of the photographer who first used the term "cheesecake" to describe leg art.

Unfortunately, all three are different.

Jack Price, who was once picture columnist for Editor & Publisher, says he was there when it happened in 1912.

He and Hypo Reed, both freelancing for Paul Thompson, with Jim Kane of the New York Journal had met the Olympic and photographed several of the more attractive and newsworthy female passengers perched on the ship's rail.

After the plates were developed and fixed at the Thompson shop, Kane pulled out one of Reed's shots for a closer look.

"Gee, isn't this a cute piece of cheese!" he exclaimed.

Hypo looked next and corrected Kane: "You mean cheesecake. That's too nice to be ordinary cheese."

Price, the young bystander in this incident, is the sole survivor of the trio. He now lives in rural Mt. Airy, Md.

The second account is supplied by Marty Black, a New York Guildsman who still totes a camera for the Journal-American. Marty sent along a copy of Spring 1948 edition of The Press Photographer containing a lead article on the origin of "cheesecake" as a pictorial term. The article was written by William J. Hearfield with Marty's help.

As Hearfield tells it, the date was September 6, 1920, the place: a public park at Rockaway Beach, New York. At the time he was a newsreel cameraman for International Film Service assigned to photograph a group of models in fur bathing suits.

Remembering a police ordinance prohibiting the use of public beaches for publicity stunts, Bill posted his assistant on a dune and instructed him to shout "Cheese it!" if he sighted the cops.

"What's 'cheese it' mean?" asked one of the models.

"Run like hell, baby," Hearfield answered. "The cops won't stand for our staging this stunt here. If they grab us, we'll be in the jailhouse for the night."

"How could I run with this fur suit on?"

"Afraid you'll break up like a hunk of cake?"

"Comedian!"

"All right. I'll ease your mind. I'll have the kid yell 'cheesecake' instead."

Then, Bill recalls, he shouted: "Let's get the cheesecake situation on film and then get the blazes out of here."

Hearfield attributes the spread of the expression to his young assistant, Joe Marsland, who later rose to head INP for a time and is now out of newspapering.

"As long as I remember Joe around the newspaper photo game," says Hearfield, "I don't think he ever missed a day in the business looking at a piece of leg art or arranging a pretty damsel for a sitting but that he delivered a determined 'cheesecake.'"

The third account gives Marsland himself credit for the origin of the expression.

Sammy Schulman, a member of the New York Guild and a top INP cameraman until the merger with UP, says he was Marsland's assistant in 1923 when Joe used the expression while photographing a theatrical queen in the familiar ship's rail pose.

"It raised a laugh and spread into the vocabulary."

But Sammy may not have known that Marsland was a helper for Hearfield three years earlier. And he may have assumed that it was the first such application of the word.

The one thing our three correspondents agree on is that it was a Hearst photographer. Take your pick.

One other account should be mentioned. In the November issue of Coronet, Dr. Bergen Evans, authority on the English language, had this to say:

"Why is a pictorial display of a woman's legs called cheesecake?"

"Large cheesecakes used to be the main displays in the windows of the restaurants along Broadway. Theatre press agents took the word over to describe the main attention-getter in their publicity."

A likely story, but it just isn't so. I respectfully differ with Dr. Evans on two counts: I was around when the press agents—both legit and movie—picked up the word from the photographers. And it was layer cake, not cheesecake, Broadway restaurants displayed so invitingly. But that's another argument.

Job Study Aids Denver

Denver, Colo.—A job classification and salary study has brought pay increases to 89 full-time and 2 part-time employees of the Denver Post in the Guild's jurisdiction.

The increases range from 25 cents to \$12.50 a week, with most full-time employees affected by the study receiving raises between \$3 and \$5.

In addition, the results of the study included job descriptions, some new job titles and new wage brackets.

The Denver Guild, however, was not entirely happy with the results of the study and filed ex-

ceptions with the company to what it considered serious weaknesses. The local objected, among other things, to the use by the consultants of five wage surveys conducted in the Denver area in the fall of 1958 by government and private employer groups.

The study resulted from an agreement between the Guild and the Post during last year's contract negotiations. The findings—and the main contract—are open for renegotiation next July 1.

Louis J. Kroeger and Associates of San Francisco, professional consultants, performed the study and evaluation. All costs were borne by the publisher.