

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1944

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No. 57

THE ASSOCIATED PRESS, PAUL BELLAMY, GEORGE FRANCIS  
BOOTH, ET AL., APPELLANTS,

*vs.*

THE UNITED STATES OF AMERICA

No. 58

TRIBUNE COMPANY AND ROBERT RUTHERFORD McCORMICK,  
APPELLANTS,

*vs.*

THE UNITED STATES OF AMERICA

No. 59

THE UNITED STATES OF AMERICA, APPELLANT,

*vs.*

THE ASSOCIATED PRESS, PAUL BELLAMY, GEORGE FRANCIS  
BOOTH, ET AL.

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APPEALS FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN  
DISTRICT OF NEW YORK

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VOL. IV

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[fol. 1742] IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

**Affidavits Filed in Behalf of Defendants, The Associated  
Press, et al., in Opposition to Motion of Plaintiff for  
Summary Judgment**

[fols. 1743-1746] AFFIDAVIT OF FRANK B. NOYES

CITY OF WASHINGTON,  
District of Columbia, ss:

FRANK B. NOYES, being duly sworn, says:

I am a defendant in the above action and make this affidavit in opposition to the plaintiff's motion for summary judgment.

I was born in Washington, D. C., on July 7, 1863. I attended the grade schools of that city and later entered the Preparatory Department of Columbian College, now George Washington University. From there, I attended the Spencerian Business College.

I served as President of defendant, The Associated Press, from 1900 to April 28, 1938, and have been a director and member of the Executive Committee since 1900. My present term as director expires in 1944.

I became associated with the newspaper business at the age of 17. My father, Crosby S. Noyes, was at that [fol. 1747] time the editor of the Washington (D. C.) Star, having served that paper since 1855. I served my apprenticeship in the business office and as a reporter on the Washington Star and became Treasurer and Business Manager of the paper in 1886.

In 1902, I became Editor-in-Chief of the Chicago Record Herald and acquired ownership of that paper in 1903.

In 1910, I sold my interest in the Chicago Record Herald and from that time on have been associated with the Washington Star. At present, I am the President of the Evening Star Newspaper Co., the publisher of the Washington Star.

I shall attempt in the succeeding paragraphs to set forth a short history of the events leading up to the formation of defendant, The Associated Press.



In order to make clear the situation as respects the machinery for gathering and distributing news in 1893, at which time I first became connected with a news gathering organization, it will be necessary for me to trace briefly the history of news gathering organizations for a period of years before 1893.

The facts in connection with these early years (1850-1893), while not within my personal knowledge, nevertheless have been well recorded. By reason of my long association with news gathering organizations and studies which I have made of such organizations, I have become thoroughly familiar with the developments which occurred during those early years.

Concerning the period of 1893 to date, I speak of things which are directly within my personal knowledge and in which I took part.

Some time before 1850, the owners of certain newspapers in the City of New York banded together under a mutual arrangement for joint news gathering at common expense. From the inception of this organization, which came to be known as the New York Associated Press, the six or seven big dailies of New York City, which had formed the association, were in absolute control. The news which was collected was collected primarily for their own benefit. They determined all questions of policy without consulting others.

The New York organization was in no sense a true co-operative endeavor. From time to time the New York Associated Press took on "clients" in other cities and sections, sometimes as groups and sometimes as individuals, the relationship being that of vendor and vendee of news. The income received from these clients was sufficient to pay for most of the expenses of gathering the news. As a result, the six or seven originating New York newspapers obtained their news reports practically without expense to themselves.

In addition to the New York Associated Press, there existed in other parts of the country groups of newspapers bound together under loose-knit joint news gathering arrangements. Among such organizations with which relations were from time to time established on an exchange of news basis with the New York organization were the Western Associated Press, an organization of midwest and southwest newspapers, the New England Associated Press,

the New York State Associated Press and the Southern Associated Press. There also existed in such cities as Philadelphia and Baltimore local press associations composed of the local newspapers in those cities. The New York organization, however, was the dominant organization. The newspapers in the interior cities beyond the Alleghenies took all the news that the New York Association was willing to send them, gave their news to the New York Association, and paid what was demanded. This situation ran on until 1882 when the Western Associated Press, by far the strongest of the smaller organizations, refused longer to be subjected to the absolute dominance and demands of the New York organization. An agreement followed under which the relations of the two organizations and the conduct of the joint business was entrusted to a committee of five, three representing the New York [fol. 1749] organization and two the Western Association, with the former General Manager of the Western Association acting as General Manager of the joint operations.

From time to time other competing organizations appeared, and one—the United Press (not to be confused with the present United Press Associations)—gradually became of especial importance. This organization was controlled by three men, William M. Laffan, then the Business Manager of the New York Sun, John R. Walsh, a banker in control of the Chicago Herald, and Walter Polk Phillips, the General Manager of the United Press.

Little by little it became evident that the joint operations of the New York Associated Press and Western Associated Press were being conducted in close and curious harmony with the United Press. It became evident that the United Press had access to the joint Associated Press reports and that the management of the two Associated Press organizations was encouraging members of their organizations to take the United Press report also.

This boring from within process resulted in the thorough honeycombing of the structure of both the New York Associated Press and Western Associated Press until a very large percentage of the revenues of the United Press were being drawn from the joint Associated Press papers.

In 1891, a crisis developed when it was discovered that not only had there been a secret agreement for the exchange of news between the Joint Committee of the New York Associated Press and Western Associated Press and

the United Press, but that a majority of the members of the Joint Committee and the General Manager had become stockholders in the United Press and had a financial interest in its prosperity.

The Board of Directors of the Western Associated Press immediately took steps to cancel the agreements made by the Joint Committee. The New York organization, having been effectively undermined soon passed out of existence, the United Press superseding it entirely. The original [fol. 1750] seven New York newspapers who had organized the New York organization and all of the clients of the New York organization became clients and many of them stockholders of the United Press.

The more active members of the Western Associated Press were desirous of organizing a strong western organization, one which could bargain on more favorable terms with the all-powerful United Press. At this time (1892), the United Press was furnishing all of the foreign news, the general eastern news and the Congressional news. The Western Associated Press was purchasing these reports, developing little of the news outside of their own territory.

Late in 1892 certain of the members of the Western Associated Press incorporated in the State of Illinois The Associated Press of Illinois as a joint stock corporation. The object for which it was formed was "to buy, gather and accumulate information and news", and "to vend, supply, distribute and publish the same". In addition, it acquired the right, never exercised, "to purchase, erect, lease, operate and sell telegraph and telephone lines and other means of transmitting news".

In February 1893, the Executive Committee of The Associated Press of Illinois came to New York to execute a joint arrangement contract with the United Press. They were met, however, by Mr. Laffan with a peremptory repudiation of the proposed agreement for joint operations and a demand that certain moneys be paid before the close of banking hours that day, in default of which service to the west and south would be cut off. Mr. Laffan also advised the Executive Committee of The Associated Press of Illinois that he and his associates would inform them later of the terms that the United Press would impose.

Futile negotiations ensued, the representatives of The Associated Press of Illinois being willing to pay tribute provided they could preserve the independence of their

organization, but Mr. Laffan finally notified them that [fol. 1751] under no circumstances would the United Press reopen negotiations looking to a contract for news service.

The men most actively engaged in organizing The Associated Press of Illinois, Victor F. Lawson, Charles W. Knapp, Frederick Driscoll and Melville E. Stone, conceived the idea of establishing a nationwide news gathering organization which should be owned and controlled solely by newspapers. To create and maintain such an organization they were compelled to fight the United Press. This was the beginning of non-profit cooperative news gathering in the United States. The aims of The Associated Press of Illinois to establish a cooperative nonprofit organization to be owned solely by newspapers was explained to me in the fall of 1893 by Victor Lawson, the President, Melville Stone, the General Manager, and Charles Diehl, the Assistant General Manager. I was so impressed by what they were seeking to accomplish that I immediately associated myself and the Washington Star with the Illinois group and shortly thereafter became a director.

The Associated Press of Illinois began its own independent service of world wide news on September 7, 1893. Illinois at that time had no statute under which a membership corporation could be organized. The new association was therefore organized with both stockholding and non-stockholding representatives of newspapers. At the outset there were 62 stockholders and over 200 non-stockholders. The stockholders, who were the sponsors and financial backers of the new organization, were given a right of veto, under which the admission of another paper published in a stockholder's territory could be barred.

Coincident with the starting of the independent news service, the assessments of the stockholding members, to whom no dividends were ever paid, were increased 30%, and shortly thereafter the stockholders subscribed to a guarantee fund, which with subsequent additions reached over \$550,000, to meet the expected deficits in the course of the ensuing struggle with the United Press. Mr. Stone, as [fol. 1752] his first activity as General Manager, made a trip to England where he contracted for an exchange arrangement with Reuter, Havas and Wolff and other European news agencies.

The fight was at once carried into the east and almost immediately the new organization gained important ad-

herents in that section of the country. Among the earliest recruits were the New York Evening Post and the Brooklyn Eagle, soon the New York World and six of the leading Philadelphia papers followed.

Lawson and Stone devoted all of their time to making new converts to the cause of cooperative news gathering, traveling constantly from place to place working as they never would have worked for any mere private interest of their own.

In order more effectively to carry out the fight and to prevent the United Press from again disrupting the organization by the boring from within process which they had so successfully used in undermining the old New York Associated Press and the Western Associated Press, there was included in the by-laws of The Associated Press of Illinois a provision that no member should furnish or permit anyone to furnish its special or other news report to, or receive news from, any person or corporation which should be declared by the Board of Directors to be antagonistic to the Association, and that further no member should furnish its news to any other person, firm or corporation engaged in the business of collecting and transmitting news except with the written consent of the Board of Directors.

Year by year our membership grew, while the number of clients of the United Press dwindled. The fight, however, was prolonged. Both sides were running under heavy deficits, the losses on our side being divided between the considerable number of stockholders who had participated in the guarantee fund and the voluntary increases in assessments, and those of the United Press between four New York newspapers, the Sun, the Herald, The Times and the Tribune, who had become the real backers of the [fol. 1753] United Press. The process of accretion on the one side and attrition on the other went on. In 1896 and early in 1897 various fruitless conferences between the opposing leaders took place, but the conflict continued until late in 1897 when by a vote of the Directors of the United Press that concern dissolved.

The issue at stake in this struggle was whether the newspapers of the United States were to be at the mercy of a privately-owned news collecting and distributing organization—at its mercy not only with respect to money tributes

but, of more importance, with respect to the type of news received. During this struggle, I became convinced, and my conviction has been strengthened throughout the passing of the years, that an unbiased, complete and accurate news report uninfluenced by the interests and opinions of private individuals could only be attained through a cooperative, nonprofit-making organization, composed solely of the owners of newspapers working together for their common benefit. We were partly successful in attaining that goal in The Associated Press of Illinois. The members of The Associated Press of Illinois, during those years, and especially the members who were stockholders, worked to attain that goal at the risk of their own financial destruction.

All of us who joined The Associated Press of Illinois in those early years knew that our organization was looked upon by Mr. Laffan and the others who controlled the United Press as a senseless rebellion. We carried on our plan of a cooperative news gathering organization in the face of knowledge that heavy reprisals would be exacted by Mr. Laffan and the United Press in the event that The Associated Press of Illinois was not successful.

Following the collapse of the United Press, a wild scramble ensued to secure membership in The Associated Press of Illinois.

We adopted a policy that no reprisals were to be exacted and the applications which then came in were considered on the merits and by the cardinal principle which has ever [fol. 1754] since governed the election of members into The Associated Press, namely, "Would the election of the applicant contribute to and benefit the cooperative nature of our organization and the membership as a whole?"

At this point, I should like to digress a minute to point out that neither The Associated Press of Illinois nor The Associated Press, defendant herein, was organized with the idea that membership should be available to all. Both were organized by their charter members as vehicles for the mutual cooperative collection and exchange of news among themselves. We recognized that, in order to establish a true cooperative organization, the members must have the opportunity to select their own associates. Only in this way could the cooperative nature of our organization be maintained and the loyalty of its members assured.

In 1900, the decision of the Supreme Court of the State of Illinois in the Inter Ocean case held that The Associated Press of Illinois was a common carrier and must serve all those who desired to receive its service. To support its decision, the Court seized upon a wholly unnecessary and unused clause in the charter of The Associated Press of Illinois which gave it the right to erect and maintain telegraph wires.

The effect of this decision upon the organization which we had so laboriously built up was readily apparent. It struck at the very vitals of our cooperative enterprise.

Accordingly, Melville Stone resigned as General Manager and many of the members of the Board of Directors, including myself, refused to stand for reelection. After a most exhaustive investigation and after taking legal advice from the leaders of the bar throughout the country we formed the present The Associated Press under the Membership Laws of the State of New York.

The charter provided that the objects and purposes of the corporation were "to gather, obtain and procure, by its own instrumentalities, by exchange with its members and by any other appropriate means, any and all kinds of information and intelligence". It also provided that the gathering and exchange of such information and intelligence was to be solely "for the use and benefit of its members" and that the Association was "not to make a profit nor make or declare dividends". I emphasize this because it shows that we did not undertake to establish a news gathering organization to serve all newspapers. Our purpose, and it was so explicitly set forth not only in the charter but also in the by-laws, was to form an association of newspapers in which they could "unite in a mutual and cooperative organization for the collection and interchange" of information and intelligence "for publication in the newspapers owned or represented by them".

The old Illinois corporation had been a joint stock company. Many of its members did not own any stock and had no voice in any of the policies of the corporation. We determined to make the new corporation a truly cooperative corporation, one without stockholding rights. We, therefore, provided in our by-laws that all members should have a vote in the affairs of the Association, reserving the regulation of assessments to the Board of Directors because the amount of the assessments paid by a small num-

ber of newspaper members having large circulation was so great in proportion to the amount paid by a similar member having small circulation that it would have been inequitable to leave the matter of assessments to a majority vote.

In order to raise needed funds we provided for an issue of bonds to be sold to those members who had, as stockholders of the Illinois corporation, provided the financial backing in the struggle with the United Press. We incorporated in the by-laws a provision giving each bondholder an additional vote in connection with the election of directors for each \$25 bond held by such bondholder and upon which the bondholder had waived interest. The maximum amount of bonds which any one newspaper could own was \$1,000. In 1928, the by-laws were amended so that every member might purchase bonds and acquire the incidental [fol. 1756] voting rights, with \$1,000 as the maximum and \$100 as the minimum.

We provided that new members be elected by a vote of four-fifths of all members. This has now been reduced to a majority. Under the old Illinois corporation, new members were elected only by vote of the directors who were chosen by the stockholders and the directors were limited by the veto rights of the stockholders.

We provided in the new corporation that new members might also be elected by a majority of the Board of Directors alone, but in order to give some control over the election of such members by the Board, so-called protest rights were given to those members who had held veto rights in the old Illinois corporation. These so-called protest rights entitled the holders thereof to protest the election by the Board alone of any new members within a specified area of the protesting member, usually an area within a radius of 30 or 60 miles from the place of publication of the protesting member. The exercise of such protest right thus required the application to go before the entire membership for a vote.

All members of the Illinois corporation were invited to join the new corporation. We assured them that so far as was legally practicable we would retain the mutual cooperative nature of the old organization and the right of members to choose their own associates.

The response was practically unanimous. The new organization began operations on midnight, September 30,



1900. I became its first President and had the honor to serve in that office for 38 years.

When we organized the present Associated Press, we were faced with the fact that the membership which had come to us from the Illinois organization had spent a great deal of time and effort in building up the organization and the news report. We were faced with the fact that if we desired to build up the new organization we had to recognize the status of the newspapers in the previous organization. For myself, I would not have gone into the present organization, and I don't believe anyone else would have gone into it, if we hadn't maintained the right of members to choose their own associates.

As stated above, it was not contemplated by the men who organized The Associated Press of New York that all daily newspapers in the United States should become members. For many years before 1900, there had been rival news agencies in the United States and in 1900, at the time of the incorporation of The Associated Press of New York, there were many competing agencies owned by publishers or men associated with the publication of newspapers. Some of these agencies were definitely hostile to the Associated Press, such as the Laffan News Bureau, which was controlled by the publishers of the New York Sun. Others did not believe in the cooperative principle and were of the opinion that the reports of a news agency should reflect a particular point of view.

At the time of its organization, approximately one-third only of the daily newspapers in the United States became members of The Associated Press. Most of the newspapers in metropolitan areas both in the morning and evening fields were original members, with the exception of the Scripps papers, several recently launched Hearst papers, the New York Sun and the Washington Times, then exclusively a morning paper. These original members from metropolitan areas were the papers which had borne the brunt of the long fight to establish a truly cooperative news agency. Many of them had contributed large sums of money to the Associated Press of Illinois at times when without such financial support those organizations could not have survived the competition of the privately owned news agencies. They had remained loyal to the coopera-

tive organization despite threatened reprisals and at great cost in time and energy as well as money.

The objective which these men set themselves was a news report which should be comprehensive, accurate and [fol. 1758] unbiased. Lack of bias could be and was achieved through the facts (1) that the members were of every shade of opinion on all controversial matters, (2) that no one of them, or group of them, could under the setup of the organization control the news report and (3) that any member violating the by-laws of the corporation could be suspended or even expelled.

Accuracy could be and was attained through the cooperation of members in reporting the news of their vicinages and in the training of the reporters, correspondents and editors employed by The Associated Press in gathering and editing the news of the world, including that furnished by members.

Completeness so far as domestic news was concerned depended upon the extent of member coverage of the news. In the metropolitan areas where there were already member papers in both morning and evening fields, additional members would not substantially augment the coverage of local news of those areas. On the other hand, there were a large number of newspapers in medium-sized and small cities which were not members and from which, under the conditions existing in 1900 and for some years thereafter, coverage of local news by the Associated Press was incomplete. Accordingly, members of The Associated Press and its Board of Directors sought and continue to seek the addition to membership of at least one newspaper in each of such communities in order that its coverage of the domestic news of the United States might be complete.

Since The Associated Press in its origin was and always has been a cooperative organization for the benefit of its members, admission to membership has been granted to those newspapers whose admission would, in the judgment of the Board of Directors, provide a needed addition to the coverage of local news and be for the best interests of the Associated Press and its membership. This was always the basis upon which I acted.

[fol. 1759] In the past forty-three years over 1800 newspapers have been elected to membership, but throughout that period there have always been hundreds of news-

papers, large and small, in every part of the country, which have been successfully published without membership in the Associated Press.

With the development of many new population centers, it became evident that the territorial area covered by the protest rights was too large and that the areas within which rights of protest existed should be curtailed. A program was adopted about 1916 to have the holders of protest rights voluntarily waive such rights for all territory except the city of publication and the area within a radius of 10 miles. By 1925, all the holders of protest rights had voluntarily restricted their protest rights to the small area except in Nashville, Los Angeles and San Francisco.

We carried over into the by-laws of the new organization the requirement that each member furnish exclusively to The Associated Press its local news of spontaneous origin. Without such a requirement, the establishment at that time of a mutual cooperative news gathering organization was impractical, for obviously if the members did not furnish their local news to the Association there would be no news report—nothing to exchange. Equally clear was the fact that if members were permitted to give their local news to non-members and to other news gathering organizations, the incentive in building up a distinctive and thus valuable news report on behalf of all members would not only be greatly impaired but might ultimately lead to the situation in which the old New York Associated Press and the Western Associated Press found themselves in 1892 and 1893.

In 1937, when conditions had changed, the by-laws were modified by adding a class of members known as Associate Members. Any newspaper which thought it important to supply local news to others than The Associated Press was permitted to do so by changing from regular to associate [fol. 1760] membership. Associate Members do not have any voting rights in the organization. They are obligated to continue to supply local news of spontaneous origin to The Associated Press, but not exclusively.

It has never been practicable to deny admission to membership in The Associated Press to the purchaser of a member newspaper. No owner of a paper would have become a member of the organization if he had not been assured that he had the right to pass on to a purchaser of his paper mem-

bership in the organization upon which the paper depended for its report of the news. It has always been provided, however, that such a succeeding owner must subscribe to the by-laws, under which he may be suspended or expelled if he violates their provisions. The number at any given time of members who have become such through purchase or acquisition has always been small.

In my judgment a truly great cooperative news gathering organization, such as The Associated Press, cannot be maintained unless the members devote themselves to the work of producing the best news report possible. You cannot get members of such an organization to do that if, after they spend their time, effort and money to build up the cooperative, anyone can obtain the fruits of their labors for the mere asking and offering to pay a proportional share of the cost. The fact that a member's news and the news of all other members of the organization, as well as the news collected by the organization itself, are being exchanged for the mutual benefit only of the members is the prime factor inducing loyalty and cooperation, the two elements, without which, a cooperative organization cannot exist.

Based upon my experience of 50 years with press associations and as a newspaper man, it is my judgment that it is not possible to maintain an unbiased, complete and accurate news report unless there exists, to set the standard of such a report, a mutual cooperative nonprofit organization whose members, voluntarily joined together, control the operations of the organization. Only in this way can [fol. 1761] the bias of particular individuals or political parties be prevented from influencing the news. Experience both in this country and abroad has demonstrated this to be the fact.

A mutually cooperative nonprofit organization cannot maintain its existence over any substantial period of time without the power of discipline over its members. However great the loyalty of the vast majority of the members may be, in any organization of several hundred members it is inevitable that some will endeavor to seek personal advantage at the expense of the whole and unless the organization possesses the power to discipline, including the power to suspend and expel for violations of its rules, its disintegration will inevitably result. If admission to membership can be forced, discipline of recalcitrant members is impracticable.

The members of the Associated Press are scattered from the Atlantic to the Pacific, from Canada to the Gulf, and represent every possible shade of political belief, religious faith and economic sympathy. The Associated Press can have no partisan nor factual bias, no religious affiliation, no capital nor pro-labor trend, because no individual member or particular group of members can influence its report of the news.

During the thirty-eight years of my presidency of The Associated Press, I devoted a very large part of my time to its affairs. Innumerable questions of policy involving every phase of the operations of The Associated Press have been presented to the Board and to the officers of the corporation and, as the President, it fell to my lot to ascertain the facts and make the recommendations to the Board on every kind of problem confronting both The Associated Press as a news-gathering and disseminating agency and its newspaper members. I never sought election or reelection as its president. I was elected unanimously by the Board in 1900 and reelected annually until 1938, when I declined reelection.

[fol. 1762] From my personal observation and knowledge gained over forty-three years, the services of men who have been directors over a considerable period of years is far more valuable than would have been the case of men serving only one or two terms. The operations of a cooperative, world news-gathering agency are extremely complex. The problems of such an organization can be grasped and understood only after years of intimate study of the organization.

In my opinion, one of the chief means through which The Associated Press has achieved the position which it now enjoys has been the practice of its members to reelect directors for long periods of service.

Throughout the history of AP, the popular vote of members has coincided with the bondholder vote in every instance, except two. Since 1900 there have been over 225 directors elected. A total of 66 different individuals have been elected.

From time to time since 1900, voices have been raised denouncing The Associated Press in the same breath both as a monopoly and because it is not a monopoly, and insisting that it become a monopoly by admitting to its member-

ship all who desire the service, the theory advanced being that the activities of the Association impress it with a public use and subject it to the obligations of a common carrier to serve all comers.

To compel The Associated Press to serve all comers would, in my judgment, bring about a condition fraught with the gravest dangers to the freedom of the press and, in turn, to the freedom of the people. I do not say that throwing The Associated Press service open to all in and of itself would result in the abridgement of freedom of the press. I look, however, at the results of such a holding. If The Associated Press were compelled to serve all comers, the incentive for cooperation would no longer exist. It would drift into an organization for pecuniary profit in private ownership and subject to private control, or, because of its judicially fostered monopolistic status, it would [fol. 1763] come under government regulation and control. Here lies the danger to the freedom of the press. In my judgment, no more dangerous situation could be imagined than the passing of the control of the greatest news gathering and news disseminating agency of the world—a news agency which all acknowledge as the epitome of accuracy, completeness and impartiality—from the hands of cooperating newspapers to the control of individuals or the Government.

In 1900, there were in Washington two daily morning newspapers; the Post (1877) and the Times (1894); and two daily evening newspapers, the Evening Star (1852) and the Times (1895). The Post and the Evening Star were and now are members of The Associated Press.

In 1906, the Herald was established as a morning paper. It was consolidated with the Times into the Times-Herald in 1938 and thereupon became an all day paper. The Times-Herald is not a member of The Associated Press.

In 1921, an evening paper, the News, a non-AP paper utilizing United Press service, was established by the Scripps-Howard interests and continues as a United Press paper.

Of the Washington papers now in existence, the Post, Times-Herald (all day) and News subscribe to the United Press service. The Post and Times-Herald also are subscribers of International News Service.

The Evening Star has never consolidated or merged with or acquired any other newspaper. It is not a subscriber to the wire service of either United Press or International News Service.

For many years the country-wide trend in metropolitan areas has been toward fewer newspapers. This has been due to two factors, the first economic and the second the virtual disappearance of political affiliation in newspapers. Rising costs of publication of a metropolitan paper and concentration of advertising have forced out of existence many newspapers in almost every large city. Because of special conditions not duplicated elsewhere, this has not been true in Washington. It is no longer the general rule for a news-[fol. 1764] paper to be definitely aligned with a political party, with its news colored by such an affiliation. Due, I believe, in large measure to the standard set by the Associated Press, newspapers generally present unbiased reports of news and in consequence the public has not found it necessary to buy two or more papers in order to sift bias from fact.

In my opinion, the value of an Associated Press membership in Washington at the present time is in excess of ten per cent of the total assessments paid by member newspapers. The value alone of a proportionate share of the assets, tangible and intangible, of the Associated Press which a new member in Washington would acquire would be at least equal to the ten per cent of assessments which has been paid since 1900 by members in the field of the new member.

On March 19, 1942, an FBI agent called at my office in the Star Building in Washington and stated that he had been sent by the Anti-Trust Division of the Department of Justice to see a representative of the Star. He asked me several questions concerning the organization and by-laws of the Associated Press. I told him that information of that kind had already been supplied in great detail to the Attorney General and Thurman Arnold. He then asked whether I had received any communication soliciting my vote against the election of Marshall Field and Mrs. Eleanor Patterson as members of the Associated Press. I told him that I had not received any such communication but had been solicited by both Field and Mrs. Patterson to vote in favor of their election. The FBI agent did not pursue the questioning further and left my office.

The Government's allegation that the news reports of The Associated Press, by reputation and in fact, are complete, accurate and unbiased, that these qualities have been attained by reason of the character of the organization developed over a period of more than forty years is, I believe, strictly accurate. Without the provisions of the by-laws as to admission to membership and local news, The Associated Press could not have become the bearer of the [fol. 1765] standard which it now is. Nor could it have done so had it been the only domestic news agency in the United States. Throughout the years, competing news agencies, especially the United Press and International News Service, and news gathering organizations such as the New York Times, New York Herald Tribune, Chicago Tribune and Chicago Daily News have frequently set the pace of competitive activities which has resulted in requiring The Associated Press to improve and expand its services to its members.

I am perhaps inordinately proud of The Associated Press and of my connection with it. Not of my personal contribution to its success, but to the extraordinary degree, through its working staff, with which it has met the hopes and aspirations of its founders.

I am proud ~~that its standards have so impressed its commercial competitors that American newspapers, whether or not they have been or are members of The Associated Press, are immensely improved in their content as respects truth and unbiased news reports.~~ I believe that this has brought a profound beneficial result to the citizenry of our country and that The Associated Press deserves the reputation that it now has.

For my own contribution to its success I am also proud, though I am only too well aware that its importance has been much over-estimated by the members of the organization and of the Board of Directors throughout many years. But earned or not, it is the great pride of my life that my associates think that I contributed to the success of The Associated Press and the beneficial influence which it has exercised upon the American press.

/s/ Frank B. Noyes.

Sworn to before me this 8th day of June, 1943. N. M.  
Raymond, Notary Public, D. C. (Seal.)



[fol. 1766]      AFFIDAVIT OF ROBERT McLEAN

STATE OF NEW YORK,  
County of New York, ss:

ROBERT McLEAN, being duly sworn, deposes and says:

I am now and have been since 1938 president of The Associated Press. I have been a director and member of the Executive Committee since 1924. I am the president of Bulletin Company, the publishers of the Philadelphia Evening Bulletin, a member of The Associated Press.

I have read the answer of The Associated Press and the individually named defendants (other than Tribune Company and Robert Rutherford McCormick) to the complaint in this action and adopt the answer as part of this affidavit which is sworn to by me. I have verified the answers of the same defendants to the interrogatories addressed by the plaintiff to them and the responses of the same defendants to the requests for admissions by the plaintiff. I do not, therefore, in this affidavit repeat the matters contained therein.

Since my election to the Board of Directors of The Associated Press in 1924 I have attended all annual meetings of the membership except one and all meetings of the Board of Directors and Executive Committee except two. I have studied the history of The Associated Press and since my election as president in 1938 I have been continually in touch with its affairs.

The purpose of the founders of The Associated Press was to create a mutually cooperative organization controlled by the members for the production of a news report of the highest standard, which they believed to be possible only through the control of their organization by a membership composed of men of every point of view on all matters of general interest. The history of The Associated Press since 1900 demonstrates that their belief was founded on fact.

[fol. 1767] Under the by-laws newspapers elected to membership are entitled to certain rights and privileges including the use of the news report and participation in the affairs of the organization. In turn, newspapers elected to membership agree to assume certain duties and obligations. The assumption of such duties and obligations is an integral part of the plan of cooperative action. Each mem-

ber must assume responsibility on behalf of himself and his employees in the use of the news report. A member may not, nor may his employee, distort the news report or make an improper use of it to the prejudice of The Associated Press or his fellow members. These duties and obligations assumed by a member are not only for his own protection, but for the protection of every other member and of The Associated Press itself.

To assure the performance of their duties and obligations by members and to protect the quality and character of the news report and the good will attaching to the name Associated Press, it is essential that the organization through its duly authorized representatives shall have the power of discipline. Without such power, including when necessary suspension or expulsion of a member, the maintenance of the high standard of the news report is impossible. In any organization which is compelled to admit all applicants the power to discipline necessarily dissolves, and where the public interest is involved, public regulation becomes inevitable.

The standard of news reporting which has been set by The Associated Press in this country, and which the plaintiff recognizes as being of the highest, has had a worldwide effect. The assurance of the maintenance of the present standard of The Associated Press news reports depends upon the continued existence of The Associated Press as a cooperative enterprise the affairs of which, in connection with the maintenance of that standard, including admission to membership, are within the control of its members free from external pressures whether political or otherwise. So also does its ability to compete successfully with commercial news agencies.

Robert McLean.

Sworn to before me this 21 day of June, 1943. Pearl  
E. Loeber, Notary Public. (Seal.)

[fol. 1769]      AFFIDAVIT OF KENT COOPER

STATE OF NEW YORK,  
County of New York, ss:

KENT COOPER, being duly sworn, deposes and says:

I am the Executive Director and the General Manager of the defendant in the above-entitled action, The Associ-

ated Press, and make this affidavit in opposition to the motion of the plaintiff for summary judgment.

I have been connected with newspapers and news agencies since I was a student at Indiana University in 1898. From 1901 to 1903 I was a reporter on Indianapolis papers. From 1903 to 1905 I was Indiana Manager for the Scripps-McRae Press Association. In 1905 I organized the United Press News Association in Indiana and was its Vice President and General Manager until I sold its stock in 1906 to the Scripps-McRae Press Association. In 1907 the United Press Associations of New York was organized and I became its Indiana representative. From 1908 to 1910 I sold its news service through the country.

In December 1910 I went with AP and since that time have occupied the following positions with AP: 1910, Traveling Inspector; 1912, Chief of Traffic Department; 1920-1925, Assistant General Manager; 1925-1943, General Manager; and since April 1943 I have been the Executive Director, as well as the General Manager, of AP.

I have no financial or other interest in any newspaper. I am not connected with any social, political, charitable or educational organization, except that I am a member of the Advisory Board of the School of Journalism of Columbia University. The past thirty-three years of my life have been devoted exclusively to AP.

For almost thirty-five years I have been in continuous contact with newspapers throughout the United States, their owners, editors, reporters and correspondents. I have also been in continuous contact during that same period with the news agencies of the United States and of the world. I have watched the development of news agencies throughout the world for more than a quarter of a century and have been familiar during that period with their methods of operation, their news reports, their relationships to newspapers and their relationships to foreign governments.

I have also watched the development during that period in this country of AP, United Press, International News Service, the many other news agencies in this country and the Canadian Press in the Dominion of Canada.

In every country of the world outside of the United States and Canada the one general national news agency serving all newspapers has been an agency organized and operated for the profit of its owners, who in many instances

have not been newspaper proprietors. The news reports of practically all such agencies often have been colored by political policies of governments and in the case of most, if not all, of the foreign news agencies, subsidies have been supplied, directly or indirectly, by the government.

The Canadian Press was originally, and continues so to be, organized as a counterpart in the Dominion of Canada of AP. Before its organization in 1906 many Canadian papers received the news reports of AP through the telegraphic system of the Canadian Pacific Railway Company which before 1906 had exclusive control of the wire transmission of news reports in Canada. In 1906 Canadian newspapers united in organizing a nonprofit, cooperative effort along the lines of AP in this country. Later this became the present Canadian Press, and from that time on it has been affiliated with AP in the collection and distribution of news between the two countries. The full daily AP news report is made available to the Canadian Press at New York and Seattle simultaneously with its being made available to American newspapers; similarly, the full daily Canadian Press news report is made available to AP at New York and Seattle simultaneously with its being made available to Canadian newspapers. In substance the operations of the AP and Canadian Press' cooperative news agencies are supplemental.

[fol. 1771] Including the Canadian Press as a supplemental cooperative agency, AP is unique among all of the great news agencies of the world in that it is, and always has been, a nonprofit cooperative association of newspaper proprietors organized for their mutual benefit for the collection and exchange of news between themselves. It is, and always has been, an enterprise devoted to the maintenance of a complete, accurate and unbiased report of the news. Unlike news agencies everywhere else in the world, it has never been subsidized, directly or indirectly, by government or otherwise.

The achievement and maintenance of the high standard of its report of events throughout the world have been accomplished because the ultimate control of its news reports has been vested in the newspaper membership representing a cross-section of opinion—economic, political and religious—on all issues of general interest, and because the membership has had the power, invoked when necessary, to

take disciplinary action against any member for any coloring or other perversion of its news report.

The completeness, accuracy and lack of bias of the news reports of practically all of the news agencies existing in the United States today is primarily due to the standards of news reporting first set by AP.

I have personally participated in the operations and development of AP since 1910; every major development within the organization during that period has been possible of achievement because it has always been a cooperative enterprise controlled by its members. The reason why it stands today in the "forefront" of news agencies is that its members, year after year, have contributed time, effort and money beyond their obligations as members. Whether the motive has been selfish personal interest or zeal for the public welfare, the fact is undeniable that the "all for one and one for all" principle which has animated and guided the members has resulted in the maintenance of the highest standards of news reporting.

[fol. 1772] Under the bylaws of AP the General Manager has responsibility for, and is in direct control, subject to the Board of Directors and ultimately to the members, of the AP news reports. At no time throughout that period have the news reports of AP been colored or influenced in any way by any director or other member of AP.

There are within my personal knowledge hundreds of instances in which the officers, directors and members of AP have gone far beyond their obligations under the bylaws to enable the staff and the membership generally to improve the quality and coverage of the news reports of the organization. The members, with rare exceptions, do not deal with the staff at arm's length. They deal with each other and with the staff as members of a family cemented by a bond of common interest and not as strangers bound only by the terms of a contract.

I have read the answer of AP to the complaint and call particular attention to Paragraphs 9, 10 and 12-16, inclusive, of the answer which read as follows:

"9. The comprehensiveness of the news coverage by AP is dependent upon the cooperation of all its members in furnishing all the news of interest in their particular localities, and their willingness to

expend time, effort and money to create and maintain an organization capable of gathering and distributing all news of importance with the greatest speed compatible with accuracy. The impartial and unbiased character of the news furnished to AP by its members and to the members by AP is assured by the fact that the membership represents a cross section of opinion on all issues of general interest, and by the fact that the membership has the power not only to control their cooperative enterprise but also to invoke disciplinary action against any member who departs from the standard of integrity in the reporting and publishing of AP news.

[fol. 1773] “10. The basic reason why AP, in the language of the complaint (par. 66), ‘ranks in the forefront in public reputation and esteem’ is that ‘the character of the organization of The Associated Press—a membership corporation composed of persons representing every shade of economic, political, and religious opinion and every section of the country—is an invaluable guarantee that the promise and claim made by each news-agency—that it presents the news without any political or sectional bias—will in fact be fulfilled.’ The good will which AP now enjoys results, again in the language of the complaint (par. 66), ‘from the fact that in the mind of the general public the name “Associated Press” has long been regarded as synonymous with the highest standards of accurate, non-partisan, and comprehensive news-reporting.’ If the members of AP were deprived of the right to choose their associates in the cooperative enterprise, the distinctive character of the organization would be destroyed and the assurance of an impartial and unbiased news report would no longer exist.

\* \* \* \* \*

“12. News is a report of the happening of an event. The source of news lies in the event itself. Access to the source of news is open to all who are willing to expend time, effort and money. News is, therefore, a product which has been created by initiative and enterprise and belongs to the producer. Its value is in direct proportion to its reliability and its newness.

“13. If the news gathered through the cooperative facilities of AP and its members were required to be made available to every one, whether a member or not, the incentive of each member to contribute his time, effort and money to the upbuilding of an organization [fol.1774] for the mutual benefit of himself and of others making a like contribution would disappear. No matter how great the contribution of the member had been, or over how long a period it had been made, he would enjoy no competitive advantage over others who had not thus ventured their time and resources. Under such circumstances, the loyalty so essential to the efficient and successful operation of a mutual enterprise could not survive. Instead of going beyond the letter of his obligation in order to maintain a superior service from which he hoped to derive his share of the benefit, each member would appraise his relationship to AP solely in the light of the immediate return to him. He would thereupon become merely a buyer and seller of news, and cooperation in a mutual enterprise would be replaced by arm's length bargaining. AP would become merely another commercial news agency.

“14. The requirement of AP's bylaws that a newspaper published in the same locality served by an existing member may be elected to membership in AP only by vote of the membership is, in effect, merely a corollary of the requirement for the exclusive interchange of news between members through the agency of AP, and is in complete harmony with the theory and practice of a truly cooperative enterprise. The addition of another member in a territory already served by an AP member does not increase the area or materially augment the scope of AP's news coverage, nor does it increase AP's revenues. If any one, merely by payment of a proportionate share of the cost of gathering and distributing the news, were automatically entitled to membership in AP, the members would cease to have any proprietary interest in the organization created and maintained through their mutual efforts. Through their continued loyalty to the enterprise, the members [fol. 1775] have created something of value to each, the benefits of which others should not be able to ap-

appropriate without making a commensurate contribution to the mutual cooperative undertaking. Automatic admission to membership, without a commensurate contribution and without the assent of a reasonable proportion of the members, would destroy the cooperative character of the enterprise.

“15. The continuance of AP as a mutual cooperative enterprise enlisting the loyalty and proprietary interest of its members is of far greater importance to local newspapers in small communities than it is to large metropolitan newspapers. One reason for this is that local newspapers in small communities must place greater reliance upon a news agency for adequate news coverage; another reason is that such newspapers usually lack the financial resources with which to compete against a newspaper which is launched by a powerful individual or group of individuals for the particular purpose of accomplishing some selfish end.

“16. However serious to each individual member the loss of his proprietary interest in AP and such resulting competitive advantage as he may enjoy, the loss to the public would be incomparably greater. The destruction of the cooperative principle in news gathering and distribution would place these functions, so vital to the national welfare, once again exclusively in commercial channels. The standard of an impartial and unbiased reporting of the news which has been achieved by the operation of AP under the control of its members, could not survive the transition of such members to the role of mere customers purchasing news on a price basis.”

It is my judgment, based upon my thirty-three years of experience with AP, that the allegations of fact contained in the above paragraphs are true and that the allegations [fol. 1776] of consequences which would result from the granting of the plaintiff's demand for judgment in this case are also true.

#### AP Wirephoto Service

It was not until 1928 that AP undertook to provide any picture service to its members. This service was instituted



at my instigation. Even before 1928 I had become interested in the transmission of pictures by wire which was then experimented with by the American Telephone and Telegraph Company.

For several years before 1934 the American Telephone and Telegraph Company had provided a toll service for the transmission of pictures over its wire. This service was available to anyone who wished to transmit pictures in that manner. It was costly and few pictures were so transmitted. In 1934, because of the small volume of business, the American Telephone and Telegraph Company determined to discontinue this picture transmission business and by the end of that year had completely done so. During 1934 it endeavored to sell its apparatus and patents for the transmission of pictures by wire and offered them for sale to the various news agencies and news picture agencies, as well as to others. As a result of my study of the whole subject I believed that the improvements which had been developed in the laboratories of the American Telephone and Telegraph Company and the probability of further improvements made it advisable for AP to acquire the apparatus and patents and to establish its own laboratory for further research.

Accordingly, I interested the proprietors of some of the larger metropolitan newspapers who were AP members in the potential value of the transmission of news pictures by wire and finally succeeded in having thirty-nine such AP members underwrite the cost of acquiring the apparatus and patents at a cost of approximately \$400,000. In addition to this initial cost, the thirty-nine subscribing members agreed to pay an aggregate annual special assessment of approximately [fol. 1777] mately \$900,000 for a period of five years for Wirephoto Service. The highest weekly newspaper assessment was \$2,884.61, payable weekly for the period of five years.

The contracts between the subscribing members and AP provided that other AP members in the same field could also become subscribers to the Wirephoto Service at any time, in which event assessments were to be reduced proportionately and, in addition, the late-comers in the same field agreed to pay a proportion of the expense theretofore borne by the original subscriber in that field. These contracts were en-

tered into pursuant to a resolution of the Board of Directors of AP, the pertinent provisions of which were as follows:

“1. Any member may contract for the service prior to its inauguration and, if the equipment therefor is already installed in his city, shall receive service upon its inauguration; if the equipment therefor is not then installed in such city such contracting member shall receive service as soon as the equipment therefor can be installed.

“2. After the inauguration of the service, in the event of any member or members being the sole subscribers in a given city, another member in that city who may desire to participate in the Wirephoto Service shall give the Secretary of The Associated Press written notice of his intention to subscribe and shall thereupon make contract therefor upon the equitable basis of assessment and the contract terms specified by the Board of Directors.

“3. Service under a contract made subsequent to such inauguration shall not be furnished until a period of time has elapsed, not exceeding three (3) months, equal to the period of time between the inauguration of service to the prior participants in such city and the date of the receipt of the signed contracts from a subsequent subscriber, such contract being similar in terms to those signed by the other members in such city receiving such service.

“4. Any member who begins the Wirephoto Service in conformity with paragraphs 2 and 3 will be required to pay to The Associated Press a proportionate and equitable part of the extra cost incurred by such original participating member or members in having borne the local element of the assessment for Wirephoto Service for such city prior to the time such member subsequently contracts for such service, the amount of said payment to be determined by the Board of Directors, who will then reimburse the original participating member or members in such city accordingly.

In arriving at the amount of such payment the Board of Directors will give consideration to the length of time the original participating member or members

have borne the entire cost of Wirephoto Service in such city.”

I cite the foregoing facts concerning the origin of the wire transmission of pictures by AP because it is a particularly striking instance of the cooperative character of the organization. Despite the fact that only thirty-nine of the 1200 odd AP members had financed, at their own individual risk and expense, the original undertaking, they agreed that Wirephoto Service should be made available to all members.

From its inception, the apparatus and patents for Wirephoto for which the thirty-nine underwriters paid more than \$400,000, were AP property. In 1939 the equalization fee provided for in Paragraph 4 above was rescinded and the entire Wirephoto Service has been completely available, merely by payment of moderate weekly assessments to every member of AP.

[fol. 1779] AP Purchase of Wide World

In the spring and early summer of 1941, I negotiated with Mr. Arthur Sulzberger, the publisher of The New York Times, for the purchase by AP of World Wide Photos, Inc., a wholly owned subsidiary of The New York Times. I had been authorized by the Board of Directors of AP to conduct the negotiations.

Wide World had been engaged for a number of years in the business of furnishing pictures for The New York Times and distributing such pictures as a salvage operation to newspapers which were not directly competitive with The New York Times. The operations of Wide World had been conducted at a substantial loss to The New York Times for a considerable period. I was aware of this fact and also of the fact that The New York Times desired to dispose of its investment in the enterprise.

From the point of view of AP, it was my belief, which I communicated to the Board of Directors, that the picture service of AP should be improved by building up a distinct feature picture service which would emphasize quality and the background of the news as distinguished from spot news pictures. AP had not included pictures in the service rendered its members until some time after other news agencies and their affiliated organizations had been engaged in ren-

dering such service. In consequence AP did not have a large collection or "morgue" of background pictures. Many members of AP called my attention to the fact that the background picture service of AP was not comparable to that furnished by several other picture services. It was essential that it have access to such a morgue in order to render a complete picture service to its members.

I knew that Wide World had an excellent morgue of pictures totaling more than 1,000,000 in number and that the character of the Wide World morgue was such as would [fol. 1780] overcome the deficiency of the AP service in supplying its members with quality and background pictures. My primary purpose, therefore, in negotiating with The New York Times for the purchase of Wide World was to give AP the basis for establishing and furnishing a quality feature picture service associate to that of its spot news pictures. Except by the purchase of an existing morgue this could be done only over a long period of years and at an expense greatly in excess of the amount for which AP ultimately purchased Wide World. Again, through the purchase of Wide World as a going concern there would be made immediately available to AP the trained personnel of photographers employed by Wide World who, if that organization had discontinued its operations before arrangements were concluded with AP, would have been scattered. I had in mind, too, that it would be advantageous to AP to have The New York Times become a subscriber to the AP Wirephoto Service.

In the course of my negotiations with Mr. Sulzberger, he informed me that it was the intention of The New York Times to discontinue the operation of Wide World, but that if AP desired to purchase the Company, The New York Times would be willing to sell it to AP, of which The Times was a member, but that it would not sell Wide World to anyone else.

In my first negotiations with Mr. Sulzberger, I proposed that AP purchase the assets of Wide World. Subsequently, I was informed by him that the transaction could not be consummated on that basis because of certain tax problems of The Times. It was only then that negotiations for the purchase of the stock of Wide World were initiated.

It is not true, as alleged in Paragraph 108 of the complaint, that AP discontinued or caused Wide World to dis-

continue the news picture service of Wide World to non-members of AP. The fact is that the Wide World mat service was discontinued both to AP members and to cus-[fol. 1781] tomers of Wide World who were not AP members because it was ascertained, after a period of several months of operation, that the mat service could not be carried on except at a substantial loss. I am informed that this had also been true when Wide World was owned by The New York Times.

Fixed Assets,  
Good Will, Etc. of AP

As General Manager of AP for a long period of years I have participated in the acquisition of its fixed assets and am generally familiar with such assets, their cost and their replacement value. It has been the practice of AP for many years to list its fixed assets on its balance sheet at the nominal value of \$1. The replacement value of these assets at this time is in my opinion as follows:

Furniture, fixtures, typewriters and other office equipment	\$400,000.00
Newsphoto equipment (cameras, lenses enlargers, dark-room equipment and supplies)	80,000.00
Teletype equipment (receiving and transmitting sets, tools and parts)	2,315,000.00
Wirephoto equipment (receivers, transmitters, portable transmitters, parts, tubes and special equipment)	536,000.00
Leasehold improvements	140,000.00
	<hr/>
Total current replacement value of fixed assets	\$3,471,000.00

Annexed hereto and marked "Exhibit 1" is a statement showing the details of payment made by members of AP in [fol. 1782] the period from 1918 through April 30, 1943, in the total amount of \$7,562,693.66 for the following purposes:

Contributions to Employees' Benefit Plan .....	\$5,304,571.27
Disability payments .....	96,318.43
Payments to extra employees, account vacations .....	306,844.27
Contributory insurance and pension plans .....	536,112.71
Social Security .....	1,318,846.98
	<hr/>
Total .....	\$7,562,693.66

These figures did not include the following additional amounts contributed by AP members through assessments:

1902-1918 assessments increased weekly by 5% of pay roll for inactive allowances and vacations, approximately .....	\$2,400,000.00
1918-1942 amount paid to employees not eligible for pensions, approximately .....	2,100,000.00

It has not been customary to include in the AP balance sheet among its assets the item of good will. In my opinion a conservative estimate of the value of the good will of AP at the present time is \$12,000,000.00.

Under the provisions of subdivision (a) of Section 2 of Article III of the bylaws of AP providing for the 10% payment, the amount of such payment in the morning field in Chicago as of June 30, 1943, would be \$348,044.78. Under the provisions of the final paragraph of Section 2 of Article III, the percentage of such sum refunded to The Chicago Tribune would be 51.72% or \$193,930.55 and the percentage [fol. 1783] refunded to The Chicago Herald-American would be 44.28% or \$154,114.23.

The regular weekly AP assessment which would be payable by each morning member in the morning field in Chicago if there were three members in that field instead of two as at present would be approximately \$722.25. If the third member also subscribed to Wirephoto Service, the added weekly assessment therefor would be \$277.50. The total regular and Wirephoto assessments would thus amount to approximately \$1,000 per week.

There is not now, nor has there ever been, any AP by-law or regulation prohibiting or precluding members of AP

from furnishing photographs to anyone, including Acme Newsphotos, International Newsphotos or any other picture agency, or to any newspaper, whether or not an AP member.

Kent Cooper.

Sworn to before me this 18th day of June, 1943.  
Michael F. Moran, Notary Public. (Seal.)

[fol. 1784]

EXHIBIT 1

Year	Total	AP Contributions to Employees Benefit Plan	AP Disability Payments	AP Payments to Extra Employees on Account of Vacations	AP Contributory Insurance and Pension Plans	Social Security Assessments
1918	100,000.00	100,000.00				
19	41,107.44	41,107.44				
20	58,003.63	58,003.63				
21	43,897.36	43,897.36				
22	55,615.08	55,615.08				
23	148,520.84	148,520.84				
24	175,085.40	175,085.40				
25	213,033.57	213,033.57				
26	131,237.38	131,237.38				
27	580,811.93	580,811.93	See Note 1	See Note 2	See Note 3	See Note 4
28	538,106.90	538,106.90				
29	416,757.98	416,757.98				
30	268,616.08	268,616.08				
31	719,076.15	719,076.15				
32	254,000.00	254,000.00				
33	68,200.00	68,200.00				
34	193,739.41	193,739.41				
35	240,248.79	240,248.79				
36	311,450.65	250,142.55				61,308.10
37	557,358.31	427,106.68				130,251.63
38	628,047.79	357,361.57	3,576.98	42,814.68		224,294.56
39	413,996.51	997.30	13,744.65	49,037.89	126,561.48	223,655.19
40	438,152.88	9,506.23	20,391.71	51,903.28	132,563.11	223,788.55
41	409,906.30	.....	21,453.21	54,627.05	124,221.08	209,604.96
42	405,026.15	13,399.00	25,296.46	80,461.37	113,906.19	171,963.13
	<u>7,409,996.53</u>	<u>5,304,571.27</u>	<u>84,463.01</u>	<u>278,844.27</u>	<u>497,251.86</u>	<u>1,244,866.12</u>
*43	152,697.13	.....	11,855.42	28,000.00	38,860.85	73,980.86
	<u>7,562,693.66</u>	<u>5,304,571.27</u>	<u>96,318.43</u>	<u>306,844.27</u>	<u>536,112.71</u>	<u>1,318,846.98</u>

\* Covers the first four months of the year.

NOTE 1—For the years 1919 to 1937, inclusive, disability payments were made from the Employees Benefit Plan. Beginning in 1938, disability benefit payments were made direct by The Associated Press without going through the benefit plan.

NOTE 2—Prior to 1928, our records do not indicate the amounts paid to extra employees because of vacations. From 1928 to 1937, inclusive, vacation payments were made from the Employees Benefit Fund, and subsequent to 1937 were made by The Associated Press directly to the employees.

NOTE 3—The contributory insurance and pension plans started January 1, 1939. Included in the amount for 1942 is \$2,866.18 for premiums on National Service Life Insurance, and for the four months of 1943 premiums for the same insurance, included in the above figure, totaled \$2,537.65.

NOTE 4—The Social Security assessment figures above are net, after refunds to members. In 1941, refunds were \$13,479.24 and in 1942, they totaled \$50,182.99.

[fol. 1785] AFFIDAVIT OF A. S. VAN BENTHUYSEN

STATE OF NEW YORK,

County of New York, ss:

A. S. VAN BENTHUYSEN, being first duly sworn on oath, deposes and says:

1. I am a newspaper consultant. For the past twenty-five years I have been closely identified with the newspaper business as an officer, executive, and director of companies engaged in the publishing of newspapers and as a consultant with reference to the organization, management, operation, valuation and liquidation of newspapers. The following is a description of my activities in the newspaper field.

(a) In 1918 at the request of the trustees of the estate of Joseph Pulitzer, made an exhaustive examination of Press Publishing Company, publisher of the New York World newspapers, and of its various subsidiaries; at the conclusion of this examination I remained to modernize and systematize the various operations of those newspapers, assuming charge of all accounting, tax, and similar departments. About 1922 was elected assistant treasurer of Press Publishing Company (subsequently becoming treasurer,) and one of the three non-family directors; took over control of all financial matters, bank relations, investments, etc. When the intangible assets of the Press Publishing Company were sold to the Scripps-Howard organization in 1931, I worked with the attorneys in the preparation of the case for court; upon suspension of publication of the Press Publishing Company newspapers, was placed in complete charge of the liquidation of the affairs thereof.

In the course of work for Press Publishing Company I was closely associated with the Pulitzer family in the administration of their various interests including the St. Louis Post Dispatch. I made an exhaustive examination and analysis of the operations of the last mentioned newspaper in 1927. My work during this employment involved every phase of newspaper operations: Editorial, advertising, circulation, mechanical, financial and promotion.



(b) Served on a number of committees of the Publishers Association of New York, and assisted in the organization of North American Newspaper Alliance. Actively engaged in the negotiations whereby International Paper Company acquired pulp and paper timberland and coal mining properties, and acted as general manager of such properties for over a year.

(c) Retained as an expert in the valuation of many newspaper properties. In connection with the acquisition of the Kansas City Star and the Kansas City Times by the executives of those newspapers from the Nelson Estate, suggested the method of determining value which was fixed at approximately \$11,000,000. I was retained by the New York Times to value that property and the Chattanooga Times in connection with the estate tax on the estate of Adolph S. Ochs, such value being finally determined at \$22,639,674. Other newspaper properties which I have valued for various purposes, include:

Binghamton (N. Y.) Press  
 Perth Amboy (N. J.) News  
 Fall River (Mass.) Herald News  
 St. Augustine (Fla.) Record  
 Montgomery (Ala.) Advertiser  
 Birmingham (Ala.) News  
 Saratoga (N. Y.) Saratogian  
 New Britain (Conn.) Herald  
 Norristown (Pa.) Times-Herald  
 White Plains (N. Y.) Reporter  
 Danbury (Conn.) News-Times  
 Seven of the Macy chain of newspapers  
 in Westchester County, N. Y.  
 Syracuse (N. Y.) Post Standard  
 [fol. 1787] Chester (Pa.) Times  
 Boston (Mass.) Transcript  
 New York (N. Y.) Post  
 Hazelton (Pa.) Standard Sentinel and  
 Plain Speaker  
 Burlington (Ia.) Hawkeye Gazette  
 Long Island City (N. Y.) Star  
 New London (Conn.) Day  
 Bradford (Pa.) newspapers  
 Bridgeport (Conn.) Times Star  
 Vineland (N. J.) Journal.

(d) Liquidated, in addition to the New York World properties, the Bridgeport, Conn., Times Star upon the sale of its intangible assets to the competing Bridgeport Post and Bridgeport Telegram. Also the Vineland, N. J., Journal upon the sale of its intangible assets to the Vineland Times.

(e) Expert witness in numerous matters including representing the Bureau of Internal Revenue in cases involving the Philadelphia Inquirer, the Philadelphia Public Ledger and the Los Angeles Times; representing the Wisconsin Tax Commission in the preparation of case concerning the valuation of the Milwaukee Journal; representing stockholders in stockholders suits involving the Clarksburg, West Virginia, Exponent and the Clarksburg Telegram, the Daytona Beach, Florida, News and the Daytona Beach, Florida, Journal and the New York newspaper PM.

(f) Author of "Newspaper Organization and Accounting", and of numerous articles appearing in Editor and Publisher, the Controller and other periodicals.

2. I have read the complaint filed by the plaintiff in this case and have had submitted to me, and have read, the affidavits of Marshall Field and John J. Padulo. I have [fol. 1788] read Article III Section 2(a) of the by-laws of The Associated Press (hereinafter referred to as "AP") and am informed by AP that application of such by-law provisions will require an applicant for membership to pay thereunder the following sums in the cities and fields specified:

#### Morning Papers

New York .....	\$824,333.82
Chicago .....	334,250.46
Detroit .....	152,789.68
Los Angeles .....	228,126.81
St. Louis .....	182,323.41
Washington .....	118,930.08
Baltimore .....	169,163.78
Boston .....	253,680.16
Cleveland .....	144,865.63
Philadelphia .....	286,719.35
Pittsburgh .....	188,598.87

## Afternoon Papers

New York .....	\$575,003.49
Chicago .....	342,310.35
Detroit .....	154,606.86
Los Angeles .....	134,709.80
St. Louis .....	186,882.23
Washington .....	88,293.20
Baltimore .....	148,658.13
Boston .....	218,917.92
Cleveland .....	131,474.18
Philadelphia .....	288,115.26
Pittsburgh .....	147,606.41

I am also familiar with the manner in which the Board of Directors of AP make the assessments against its members and with those by-laws of AP which require members to furnish to AP the news of each member's district. I have [fol. 1789] seen the balance sheet as of December 31, 1942 of AP and supporting financial statements as set forth in the AP 1942 Yearbook.

3. In any determination of the value of an AP membership in any locality it is obviously essential to determine the value of the assets of AP. In this connection the complaint contains the statement that AP members by the receipt of AP news have received "full and commensurate return for such contribution as they have made to it (by furnishing local news or by payment of annual assessments)". This statement is erroneous for two reasons:

(a) It is apparent that AP members have paid far more in the form of assessments than the actual cost of gathering and distributing the news. AP, according to the above mentioned balance sheet, has total current assets of \$2,972,807.42, not including investment in or advances to subsidiaries of \$516,774.69. Such balance sheet shows that AP carries the value of its fixed assets including teletypes, wire photo equipment, furniture and other items at \$1.00. Such assets manifestly have great value. Exhibit D attached to the balance sheet shows the existence of an employee's benefit fund with a balance on December 31, 1942, of \$4,446,738.59. I have also been informed that AP has for a great num-

ber of years paid benefits in substantial amounts to its ex-employees. All of these assets have in the main resulted from assessments made against members and it is clear that to such extent the assessments have exceeded the cost of gathering and distributing the news.

(b) It ignores AP's intangible values. An organization such as AP with the assets disclosed by its balance sheet, with its comprehensive news coverage and reputation for news of the highest integrity as described in the complaint, all built up over the extended period of 42 years, has a tremendous intangible [fol. 1790] value based upon sound and accepted accounting principles. These values are in part the result of the assessments paid by the members and used in development, experimentation and in the obtaining and training of correspondents and other employees. They are in part the result of the expense, effort and enterprise of the members in furnishing to AP the local news of their districts. They are in part, and in great part, the result of each member's creation of reader acceptance and good will for AP news reports in the particular localities wherein such newspapers are published. It is significant that substantially all of the members of AP located in the large cities of the country, and many, if not most, of those located in the smaller communities, were charter members of AP or became members shortly after its organization. The constant use of AP news reports with credits to AP by such members over such extended periods of time have created great values for AP in the communities wherein such newspapers are published, and, in combination, throughout the entire United States. The large sums of money which metropolitan newspapers pay for circulation, promotion and advertising inures to some extent to the benefit of AP and increases its intangible values. Such values are great despite the fact that they decreased because of the existence and growth of active and strong competitors, particularly United Press Associations and International News Service.

4. In many instances the cost of buying news service from news agencies other than AP exceeds the amount of assessments which an AP member is required to pay.

5. It is an exceedingly difficult problem to determine the value of an AP membership. I have participated, primarily as a valuation expert, in the sales of many newspapers which have been sold in the last twenty years. I [fol. 1791] know of no occasion when an AP membership was sold alone and not in conjunction with various other assets. In such sales the prices paid depended upon many diverse factors: The extent of the assets and their type and quality; the circumstances under which the sales were effected, whether a forced sale, a merger, etc. Some of such sales were made in my judgment at prices in excess of the value of the properties and others brought less than their values. For example, I know of the sale of one newspaper in Chicago, which included an AP membership, at a sum in excess of \$1,000,000, but in contrast I know of another sale in Chicago, including an AP membership, at approximately \$25,000. For these reasons, sales prices of newspaper properties would not be a sound measure of the value of an AP membership to an applicant who is purchasing such membership without other asset and who is able and willing to pay the fair value thereof.

6. No precise and all-inclusive method of evaluating an AP membership can be set forth which would uniformly result in an accurate determination of the amount which an applicant should pay to existing members to AP publishing newspapers in the field from which the application is received. This is obviously the fact due to differing circumstances in different localities, fields and times. A sound appraisal would, however, include the following steps:

(a) The value of the assets of AP, tangible and intangible, would be ascertained together with the contributions thereto of the existing members in the particular field. Upon the basis of this information, the equity in such assets acquired by the applicant and the loss sustained by the existing members could be determined.

(b) The value of the savings realized by the applicant in obtaining AP service at cost would be computed. This is a sound measure of value recognized by economists and accountants and frequently used in similar appraisal situations.

[fol. 1792] (c) The cost to the existing members of compensating for the loss of exclusive or partially exclusive AP news to a competitor would likewise be computed. The value of the service of any particular news agency to a newspaper depends in large measure upon its exclusiveness. The furnishing of any news service to the competitor of an existing user of the service imposes damage upon the latter which it will normally endeavor to avoid by subscribing to another news service or by other means. The cost of such compensatory measures must be given consideration.

7. Based upon a study of the financial statements of AP and my experience in and knowledge of the newspaper business, Article III Section 2(a) of the AP by-laws in my opinion provides a formula for the determination of the value of AP memberships which will in most cases result at the present time in a substantially less value than would result from the use of sound and accepted appraisal methods. I have particularly studied the application of the formula set forth in the by-laws in the eleven large cities in the country resulting in the valuations set forth above in paragraph 2. It is my judgment that in each instance the valuation reached by application of the 10% formula is much less than actual value.

8. I am informed that the sum which the Chicago Tribune has paid to The Associated Press since 1900, is approximately \$1,735,000. and that the sum which the Chicago Tribune would receive if the Chicago Sun were admitted to membership as of June 30, 1943, is \$193,930.55. In my judgment the amount so required is far less than the value of an AP membership in the morning field in Chicago and is inadequate to compensate the Chicago Tribune for its loss of exclusive Associated Press news service.

According to the affidavits of Messrs. Field and Padulo, The Chicago Sun through AP membership would have [fol. 1793] saved in the year 1942 alone almost enough money to have paid the sum required of an applicant under the AP by-laws. In my opinion the affidavits of Messrs. Field and Padulo are erroneous in this respect. Most of the prominent papers throughout the country maintain and own Washington bureaus; maintain their own correspond-

ents at various points and particularly throughout the region wherein their newspaper circulates; buy photographs and articles in addition to those which they receive through the news agencies, and have their own foreign offices and pay all telephone and cable charges. I believe, therefore, that if Messrs. Field and Padulo plan to publish a metropolitan newspaper, they greatly overestimate the savings which would be realized through the Chicago Sun becoming an AP member. The Chicago Sun, however, would realize substantial savings which capitalized on a sound basis would substantially exceed the sum required by the application of the by-laws formula.

The amount which the Chicago Tribune will receive by application of such formula is inadequate because it is a very small fraction of the total amount which the Chicago Tribune has paid to AP in assessments in excess of the cost of gathering and distributing news. It does not adequately compensate the Chicago Tribune for the value it has contributed to AP by its promotion of AP news in the middle west throughout the eighty years of the Tribune's existence. The sum is probably inadequate to compensate the Chicago Tribune for the expense, which it will incur in offsetting the damage sustained by loss of exclusive AP service in the morning field in Chicago.

(S.) A. S. Van Benthuisen.

Subscribed and sworn to before me this 16 day of  
June, A. D. 1943. Pearl E. Loeber, Notary Public.  
(Seal.)

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[fol. 1794]      AFFIDAVIT OF PAUL BELLAMY

STATE OF OHIO,  
County of Cuyahoga, ss:

PAUL BELLAMY, being duly sworn deposes and says:

I am now and have been a member of the Board of Directors of the defendant, The Associated Press, since 1934.

I am the editor of the Cleveland Plain Dealer, a morning and Sunday newspaper, published in the City of Cleveland, Ohio. Except for a brief period of two and a half

years during which I was engaged in another business and in the service of the United States Army, I have been continuously with the Cleveland Plain Dealer since February, 1907.

I have read the affidavit of S. Emory Thomason verified the 18th day of June, 1943, and so far as the statements of facts set forth therein are within my personal knowledge, they are true and correct.

Early in 1941, a committee of the Board of Directors consisting of its president, Mr. Robert McLean, its ex-president, Mr. Frank B. Noyes, and myself were appointed for the purpose of conferring with the By-Laws Committee of members which had been appointed pursuant to a resolution of the April, 1940 annual meeting. From time to time during 1941, and before the annual meeting in April, 1942, members of the two committees conferred and discussed many suggested changes in the by-laws. It was agreed that the elements which should be taken into consideration in determining the value of a membership in The Associated Press were the elements referred to in paragraph 6 of the affidavit of Mr. Thomason.

When the proposals (both those of the By-Laws Committee of members and those of the Board) for amendments to the by-laws were submitted to the membership at the annual meeting in April, 1942, there were numerous suggestions of changes made from the floor. The President appointed a committee consisting of two members of the [fol. 1795] Board, Mr. John Cowles and myself, to confer with Messrs. Knight and Thomason for the purpose of coming to an agreement on specific proposals for admission of new members to be acted upon by the membership. Messrs. Knight, Thomason, John Cowles, and myself thereupon conferred while the annual meeting was in session and agreed upon amendments to the provisions of the by-laws relating to admission to membership.

The conferees agreed (a) upon a majority vote, (b) upon the 10% payment or three times the current, annual assessment, whichever was larger, and (c) upon the giving up by the applicant for membership of exclusive rights to any news or newspaper services.

These amendments were subsequently adopted by the membership and are now incorporated in Article III of the by-laws, except that in February, 1943, the provision re-



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lating to three times the current annual assessment was eliminated.

Paul Bellamy.

Subscribed and sworn to before me this 19 day of  
June, A. D. 1943. Joseph H. Zucker, Notary Public.  
(Seal.)

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[fol. 1796]      AFFIDAVIT OF ROBERT R. BOOTH

STATE OF NEW YORK,  
County of New York, ss:

ROBERT R. BOOTH, being duly sworn, deposes and says:

I am the auditor of The Associated Press. I have read the affidavit of Guy Raynor Hill submitted in behalf of the plaintiff upon its motion for summary judgment in this action, which affidavit is included in the printed volume of affidavits filed in support of the plaintiff's motion, and at pages 57 and 58 thereof, Mr. Hill compares the aggregate compensation paid to *string correspondents only* by United Press and International News Service in the United States during the year 1942, with the aggregate compensation paid by The Associated Press during the year 1942, to "*all string correspondents, string photographers and other parttime workers*" in the United States. The amounts so compared are: United Press, \$74,217.06; International News Service, \$25,743.89; and The Associated Press, \$205,929.91.

On the basis of this comparison, Mr. Hill concludes that the average annual amount for the year 1942, per string correspondent, paid by United Press, was \$35.54; by International News Service, \$13.81; and by The Associated Press "per parttime worker (i. e., string correspondents, string photographers, etc.)", \$68.83.

The error embodied in Mr. Hill's comparison is apparent. In the case of United Press and International News Service, the figures are for string correspondents only whereas in the case of The Associated Press the figure is for *all* parttime workers.

The fact is that during the year 1942, The Associated Press paid its string correspondents the aggregate compensation of only \$80,760.59, which sum was equivalent to an

average annual amount per AP string correspondent of only \$29.20.

The figure of \$205,929.91 is the figure given by AP in answer to Plaintiff's interrogatory No. 32 which reads:

"32. State the total amount of compensation paid by The Associated Press during each of the years 1941 [fol. 1797] and 1942 to part-time employees located in the United States (including among such part-time employees all persons to whom The Associated Press paid any compensation in return for rendering service to The Associated Press or for its benefit.)"

AP's answer to this interrogatory was as follows:

"*Ans.* The total amount of compensation paid by The Associated Press in each of the years 1941 and 1942 to persons not regularly employed by it in the United States but to whom compensation was paid in return for rendering service to The Associated Press, or for its benefit, was: 1941, \$207,942.33; 1942, \$205,929.91. The Associated Press does not have a classification of part-time employees."

The items making up the figures contained in AP's answer are as follows:

	1941	1942
Regional news string correspondents .....	\$ 89,612.92	\$ 80,760.59
General news (not regional) correspondents .....	4,403.81	5,354.02
Supplemental sports (not regional) correspondents .....	4,567.42	4,658.87
Photographers .....	28,172.97	22,323.69
Comics and cartoon artists .....	55,055.00	67,782.16
Special writers (features) .....	22,592.17	8,742.00
Primaries and elections payments .....	1,219.40	13,410.27
Cross-word puzzles .....	2,283.64	2,393.56
Miscellaneous .....	35.00	504.75
	<hr/>	<hr/>
	\$207,942.33	\$205,929.91

Robert R. Booth.

Sworn to before me this 8th day of June, 1943.  
Michael F. Moran, Notary Public. (Seal.)

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[fol. 1798] AFFIDAVIT OF ROBERT R. BOOTH

STATE OF NEW YORK,  
County of New York, ss:

ROBERT R. BOOTH, being duly sworn, deposes and says:

I am the Auditor of the defendant, The Associated Press. On January 9, 1943, there were 1195 members of The Associated Press who were assessed on a weekly basis in the total amount of \$211,022.83. Of this total, \$110,726.83 was assessed to 108 members, the weekly assessments of each of which were in the amount of \$500.00 or more; \$18,781.15 was assessed to 48 members, the weekly assessments of each of which were in amounts from \$300.00 to \$499.99; \$15,107.06 was assessed to 63 members, the weekly assessments of each of which were in amounts from \$200.00 to \$299.99; \$26,152.91 was assessed to 190 members, the weekly assessments of each of which were in amounts from \$100.00 to \$199.99; \$40,254.88 was assessed to 786 members, the weekly assessments of each of which were under \$100.00.

Robert R. Booth.

Sworn to before me this 21 day of June, 1943.  
Michael F. Moran, Notary Public. (Seal.)

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[fol. 1799] AFFIDAVIT OF DANIEL J. SHILLER

STATE OF NEW YORK,  
County of New York, ss:

DANIEL J. SHILLER, being duly sworn, says:

I am associated with Milbank, Tweed & Hope, attorneys for defendant, The Associated Press, in this action.

I have made a study of the verbatim minutes of the meetings of the Board of Directors and of the annual meetings of members of The Associated Press from 1900 to October 8, 1931, inclusive, and of the printed Annual Reports of The Associated Press for the years 1900-1942, inclusive.

During the eleven (11) year period, August 1932-August 1942, the printed Annual Reports of The Associated Press show that eighty-nine (89) newspapers applied for morning membership in The Associated Press. I have checked the

circulations of these papers in the year in which they applied in the Editor & Publisher International Year Books, except as to those which had no circulations due to the fact that they had not started publication at the time of application.

This study showed that no English language morning newspaper, with a circulation of over ten thousand (10,000), with the exceptions of the Chicago (Ill.) Sun and the Washington (D. C.) Times Herald, was refused membership in The Associated Press during that period. The study further showed that of these eighty-nine (89) applications for morning membership during this period, only twelve (12) applicants were rejected, which number includes, of course, the Chicago (Ill.) Sun and the Washington (D. C.) Times Herald.

Attached hereto and marked Exhibit A is a list of the applicants for morning membership whose applications were rejected during the period August 1932-August 1942.

My studies of the verbatim minutes of the meetings of the Board of Directors and of the annual meetings of members of The Associated Press showed that in the period from 1900 to October 8, 1931, inclusive, at least one hundred and thirty-one (131) elections to Associated Press membership took place over the objections and/or protest rights of Associated Press members.

Attached hereto and marked Exhibit B is a list of the newspapers thus elected.

Daniel J. Shiller.

Sworn to before me this 19 day of June, 1943, Pearl E. Loeber, Notary Public. (Seal.)

[fol. 1801]

EXHIBIT A

Morning Papers Applying for AP Membership

August 1932-August 1942

Whose Applications Were Rejected  
(Compiled from Printed Annual Reports of The  
Associated Press)

Athens (Ga.) Daily Times

Bloomington (Ind.) Star

Chicago (Ill.) Sun

## EXHIBIT A—Continued

Gainesville (Fla.) Morning News  
 Hastings (Neb.) Morning Spotlight  
 Hobs (N. M.) Daily Post  
 Hollywood (Fla.) Sun  
 Las Cruces (N. M.) Morning Sun  
 Liberal (Kans.) Southwest Times  
 Manila (P. I.) El Debate (Spanish)  
 Manila (P. I.) Mabuhay (Tagalog)  
 Washington (D. C.) Times-Herald

[fol. 1802]

## EXHIBIT B

List of Newspapers Elected into AP Membership Over  
 The Protests or Objections of AP Members from 1900 to  
 October 8, 1931, Inclusive, Compiled from the Verbatim  
 Reports of the Meetings of the Board of Directors and of  
 The Annual Meetings of Members of the Associated Press

*Key:* P—Elected by Annual Meeting of Members over  
 protest rights.

<i>Newspaper</i>	<i>Date of Election</i>
Salt Lake Evening Tribune (Utah)	February 19, 1901
El Reno American (Okla.)	May 8, 1901
Zanesville Signal (Ohio)	September 16, 1902
Durango Telegraph (Colo.)	September 16, 1902
Riverside Enterprise (Cal.)	May 13, 1903
Charlotte News (N. C.)	September 15, 1903
Fort Smith News Record (Ark.)	September 17, 1903
Ogden Examiner (Utah)	September 17, 1903
Meriden Times (Conn.)	May 10, 1905
Lewiston Teller (Ida.)	December 13, 1905
Carthage Press (Mo.)	September 18, 1906
Providence Tribune (R. I.)	September 18, 1906
Spartanburg Journal (S. C.)	September 18, 1906
Asheville Gazette-News (N. C.)	May 8, 1907
Battle Creek Enquirer (Mich.)	September 17, 1907
Missoula Herald (Mont.)	April 22, 1908
Des Moines Evening Tribune (Iowa)	December 9, 1908
Lockport Journal (N. Y.)	December 9, 1908
Columbia Evening Sun (S. C.)	January 9, 1909
Globe Evening Tribune (Ariz.)	January 9, 1909
*Springfield Daily News (Ohio)	April 21, 1909

\* Sunday membership.

## EXHIBIT B—Continued

<i>Newspaper</i>	<i>Date of Election</i>
Wichita Falls Morning News (Tex.)	December 15, 1909
*Bellingham Sunday Herald (Wash.)	December 15, 1909
Charlotte Chronicle (N. C.)	January 26, 1910
Greenville Piedmont (S. C.)	April 25, 1910
Ellensburg Record (Wash.)	April 27, 1910
Goldfield News (Nev.)	April 27, 1910
Winston-Salem Journal (N. C.)	April 24, 1911
Roswell Morning News (N. M.)	December 13, 1911
[fol. 1803] Longview Press (Tex.)	February 13, 1912
Longview Times-Clarion (Tex.)	February 13, 1912
Bartlesville Morning Examiner (Okla.)	October 9, 1912
Laramie Boomerang (Wyo.)	October 9, 1912
Paducah Evening Sun (Ky.)	October 9, 1912
Guthrie Morning Star (Okla.)	October 9, 1912
Muscatine News Tribune (Iowa)	October 15, 1913
Devil's Lake Journal (N. D.)	October 15, 1913
Carson City Appeal (Nev.)	December 11, 1913
St. Petersburg Morning Times (Fla.)	February 11, 1914
Havana El Heraldo (Cuba)	April 19, 1915
Bartlesville Morning Examiner (Okla.)	April 19, 1915
High Point Enterprise (N. C.)	April 21, 1915
Calexico Chronicle (Cal.)	October 6, 1915
*Columbus Ledger (Ga.)	October 6, 1915
South Bend Morning News-Times (Ind.)	December 8, 1915
Livingston Enterprise (Mont.)	April 26, 1916
Jerome News (Ariz.)	December 13, 1916
Champaign News (Ill.)	April 25, 1917
P Santa Rosa Press-Democrat (Cal.)	April 24, 1917
Wichita Falls Morning Tribune (Tex.)	October 3, 1917
Portsmouth Evening Star (Va.)	October 4, 1917
Port Arthur Record (Tex.)	December 12, 1917
P Warren Tribune (Ohio)	April 23, 1918
P Palo Alto Times (Cal.)	April 23, 1918
Havre Democrat (Mont.)	April 24, 1918
Nampa Record (Ida.)	December 12, 1918
Jefferson City Post (Mo.)	December 12, 1918
Jackson Morning News (Mich.)	April 17, 1919
Warren Morning Chronicle (Pa.)	April 17, 1919
Escanaba Morning Press (Mich.)	April 18, 1919
*Port Arthur Evening Record (Tex.)	April 18, 1919
Vincennes Capital (Ind.)	April 18, 1919
Johnstown Evening Leader (Pa.)	April 18, 1919
Alton Evening Telegraph (Ill.)	April 19, 1919
P Trenton Times (N. J.)	April 22, 1919
Cape Girardeau Sun (Mo.)	October 1, 1919
Clarksburg Exponent (W. Va.)	October 1, 1919
Ogdensburg News (N. Y.)	October 2, 1919

\* Sunday membership.

## EXHIBIT B—Continued

[fol. 1804]

<i>Newspaper</i>	<i>Date of Election</i>
Chico Enterprise (Cal.)	December 11, 1919
Honolulu Daily Nippu Jiji (Hawaii)	April 16, 1920
Yazoo City Sentinel (Miss.)	April 19, 1920
P San Jose Evening News (Cal.)	April 20, 1920
Prescott Evening Courier (Ariz.)	October 6, 1920
Hackensack Evening Record (N. J.)	October 6, 1920
Holtville Tribune (Cal.)	October 7, 1920
Amarillo Tribune (Tex.)	October 6, 1921
Monterey El Diario (Mex.)	October 6, 1921
Huntington Advertiser (W. Va.)	December 14, 1921
Puebla El Pueblo (Mex.)	December 15, 1921
Winona Leader (Minn.)	December 15, 1921
Johnson City Chronicle (Tenn.)	February 15, 1922
**Asheville Independent (Ky.)	February 15, 1922
Greenville Morning Herald (Tex.)	February 15, 1922
Ypsilanti Press (Mich.)	April 24, 1922
Laredo Morning News (Tex.)	April 24, 1922
Oswego Daily Times (N. Y.)	October 4, 1922
Mt. Vernon Herald (Wash.)	October 4, 1922
Lodi Sentinel (Cal.)	October 4, 1922
Attleboro Sun (Mass.)	January 25, 1923
Florence News-Review (S. C.)	April 20, 1923
Merced Star (Cal.)	April 21, 1923
P Redwood Tribune (Cal.)	April 24, 1923
Baton Rouge Morning News (La.)	October 3, 1923
Freeport Daily Review (N. Y.)	October 3, 1923
Long Beach Press (Cal.)	January 23, 1924
Lisbon Patriot (Ohio)	January 23, 1924
Coaldale Panther Creek News (Pa.)	January 24, 1924
Fort Myers Tropical News (Fla.)	January 24, 1924
Kellogg News (Ida.)	January 24, 1924
Lafayette Advertiser-Gazette (La.)	January 24, 1924
Sapulpa Daily Times (Okla.)	April 19, 1924
*Sarasota Times (Fla.)	October 2, 1924
Eau Claire Telegram (Wis.)	October 2, 1924
*Salisbury Post (N. C.)	October 2, 1924
Schenectady Union-Star (N. Y.)	October 2, 1924
Winter Haven Chief (Fla.)	October 2, 1924
Fort Lauderdale Sentinel (Fla.)	October 2, 1924

[fol. 1805]

Woodland Mail (Cal.)	October 2, 1924
Sapulpa Morning Times (Okla.)	January 29, 1925
Lima Star (Ohio)	April 16, 1925

\* Sunday membership.

\*\* Objection to Sunday membership only, no objection to evening membership.

## EXHIBIT B—Continued

<i>Newspaper</i>	<i>Date of Election</i>
Manila Tribune (P. I.)	April 16, 1925
Stoughton Courier Hub (Wis.)	October 8, 1925
Plant City News (Fla.)	October 9, 1925
Sebring American (Fla.)	January 29, 1926
Sapulpa Bulletin (Okla.)	April 21, 1926
Suffolk News (Va.)	October 7, 1926
Brownsville Telegraph (Pa.) (PM)	October 7, 1926
Hiawatha Daily World (Kan.)	October 7, 1926
Lawrence Tribune (Mass.)	October 7, 1926
Lawrence Eagle (Mass.)	October 7, 1926
San Antonio News (Tex.)	October 8, 1926
Brownsville Telegraph (Pa.) (AM)	January 27, 1927
Logansport Pharos-Tribune (Ind.)	April 23, 1927
Florence Daily News (Colo.)	October 5, 1927
Elizabethton Star (Tenn.)	January 24, 1928
Paris Gazette (Ill.)	April 17, 1928
Harlingen Star (Tex.)	January 8, 1930
Muncie (Ind.) Press	September 30, 1930
Murfreesboro News Banner (Tenn.)	January 15, 1931
Sistersville Oil Review (W. Va.)	April 17, 1931
Waynesboro News-Virginian (Va.)	October 8, 1931

[fol. 1806] AFFIDAVIT OF DANIEL J. SHILLER

STATE OF NEW YORK,  
County of New York, ss:

Daniel J. Shiller, being duly sworn, deposes and says:

I am associated with Messrs. Milbank, Tweed & Hope, attorneys for the defendants, The Associated Press, et al., in the above-entitled action.

I have examined the printed annual reports of The Associated Press for the years August 1932 to August 1942, inclusive. These reports show that during that period 338 applications for membership in The Associated Press were granted by the Board of Directors. During the same period only 16 applicants were rejected by the Board of Directors.

Daniel J. Shiller.

Sworn to before me this 21 day of June, 1943. Pearl  
E. Loeber, Notary Public. (Seal.)



[fol. 1807] AFFIDAVIT OF EDWIN M. WILLIAMS

STATE OF NEW YORK,  
County of New York, ss:

Edwin M. Williams, being duly sworn, deposes and says:

United Feature Syndicate, Inc., hereinafter referred to as UFS, a wholly-owned subsidiary of UP, supplies its newspaper subscribers with features, a list of which is annexed hereto as Exhibit 1.

As of April 24, 1943, the number of newspapers subscribing to UFS feature service was 1,075, of which 916 were domestic newspapers.

In 1930, the total expenditures of UFS in conducting its business, excluding reserved expense accounts, depreciation and federal taxes, was \$415,868.20, whereas in 1942, similar expenditures were approximately three times that amount.

The total expenditures of UFS in conducting its business, with the above mentioned exclusions, and the number of domestic newspaper subscribers to its feature services, for each of the years 1935 to 1942, inclusive, were as follows:

<i>Year</i>	<i>Expenditures</i>	<i>Domestic Newspaper Subscribers</i>
1935 .....	820,153.60	673
1936 .....	844,399.07	701
1937 .....	983,826.98	785
1938 .....	1,093,983.48	778
1939 .....	1,228,350.98	861
1940 .....	1,314,569.63	864
1941 .....	1,099,926.97	907
1942 .....	1,223,139.00	866

[fol. 1808] As of August, 1942, the number of UFS employees was 75.

A particular UFS feature is sold by it to only one newspaper in a city.

The value of a UFS feature to a newspaper subscriber is dependent upon exclusive publication by it in its city.

The features which UFS sells to the Chicago Sun are not published by any other newspaper in Chicago.

Annexed hereto and marked Exhibit 2 are advertising and promotional material issued and distributed by UFS during the years 1940-1942 inclusive.

The number of UFS subscribers which were also subscribers to UP news service as of April 24, 1943, was 485.

Edwin Moss Williams.

Sworn to before me this 17th day of June, 1943.  
Carl B. Molander, Notary Public. (Seal.)

[fol. 1809]

EXHIBIT 1

Abbie an' Slats by Raeburn Van Buren  
Broncho Bill by Harry O'Neill  
Ella Cinders by Charles Plumb  
Fritzi Ritz-Nancy by Ernie Bushmiller  
Hap Hopper Edited by Drew Pearson  
Joe Jinks  
Li'l Abner by Al Capp  
Little Mary Mixup by R. M. Brinkerhoff  
Race Riley and the Commandos (English and Spanish)  
by Milburn Rosser  
Tarzan (English and Spanish) by Edgar Rice Burroughs

Cartoons and Squares

Back Home Again by Ed Dodd  
Editorial by Paul Berdanier  
Everyday Movies by Denys Wortman  
Jasper by Frank Owen  
Sports by Alan Maver  
Strange As It Seems by John Hix

Columns

Bill Cunningham  
Ernie Pyle (The Roving Reporter)  
Everyday Living (by Dr. Jos. Fort Newton)  
Raymond Clapper (In Washington)  
Harry Hansen (The First Reader)  
"My Day" by Eleanor Roosevelt  
Westbrook Pegler (Fair Enough)  
Washington Merry-Go-Round by Drew Pearson

1466

Major Al Williams (Airpower)  
Joe Williams (Sports)  
Sidney Skolsky on Hollywood  
Personal-Problems Column by Caroline Chatfield

[fol. 1810] Fashions

By Eleanor Gunn, Daily and Sunday

Fiction

First-run Serials, thirty-six instalments  
First-run Short Short Stories  
Big-name Book Series

Color Comic Pages

Abbie an' Slats by Raeburn Van Buren  
Broncho Bill by Harry O'Neill  
Captain and the Kids (English and Spanish) by Rudolph  
Dirks  
Ella Cinders by Charles Plumb  
Fritzi Ritz by Ernie Bushmiller  
Gordo by Gus Arriola  
Hap Hopper Edited by Drew Pearson  
Hawkshaw the Detective by Rudolph Dirks  
Joe Jinks  
Li'l Abner by Al Capp  
Nancy by Ernie Bushmiller  
Strange As It Seems by John Hix  
Tarzan (English and Spanish) by Edgar Rice Burroughs

Miscellaneous

Daily Picture Page (fully matted or chopped)  
Daily Magazine Page (fully matted or as proof with mats  
of illustrations)  
Your Good Health by Dr. Claud N. Chrisman  
Profiles by Talbott Lake  
Beauty Tips  
Guide to Charm by Jacqueline Hunt  
Modes and Manners  
Tasty Dishes for Today by Judith Wilson and Food  
illustration

[fol. 1811] Fashion Illustration and Column by  
Eleanor Gunn  
Modern Women by Marian Mays Martin  
You and Your Child by Jane Coward  
Short Cuts

Daily Crossword Puzzle and Answer  
S/Daily Your Birthday (Horoscope by Stella)  
Daily Pony Page  
Editorial Cartoon  
Guide to Charm by Jacqueline Hunt  
Your Good Health by Dr. Claud N. Christman  
Tasty Dishes for Today by Judith Wilson  
6 or 7 pictures  
Fashion illustration

Magazines

Tip-Top Comics (monthly)  
Sparkler Comics (monthly)  
Comics on Parade (quarterly)

1468

1/4/41

## TOP COLUMNISTS OF 1941



**ROBERT S. ALLEN**  
The Washington Merry-Go-Round



**RAYMOND CLAPPER**  
In Washington



**THEODORE GRANIK**  
The American Forum



**HUGH S. JOHNSON**  
Hugh Johnson Says—



**DREW PEARSON**  
The Washington Merry-Go-Round



**WESTBROOK PEGLER**  
Fair Enough



**ERNE PYLE**  
Saving Reporter



**ELEANOR ROOSEVELT**  
My Day



**MAJOR AL WILLIAMS**  
Airpower

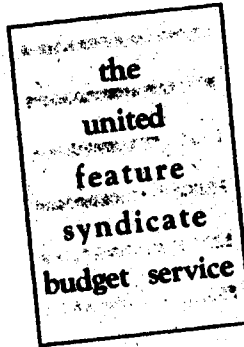


**JOE WILLIAMS**  
Sports

**United**  
FEATURE SYNDICATE  
220 EAST 42ND STREET  
NEW YORK CITY

2/8/41 23

"Amazed at the material for the price!"



Of our Budget Service, J. Walter Day, editor and manager of the Ft. Lauderdale, Fla. Times, writes:

"When we started publication last April, I picked United Features because I thought they were the best.

"Since starting, I have had every feature known to man put up to me, but I can frankly say none compares to yours.

"Your comics are above average.

"Your picture service is right up to the minute. We have used pictures that 4 or 5 days later appear on the front page of Time magazine and have been scattered through Life a week later.

"Your magazine page is tops. We have had the highest praise of it from the women folk.

"I am amazed at the material for the price."

Would you like to see Budget Service samples?

**United**  
FEATURE SYNDICATE  
220 EAST 42ND STREET  
NEW YORK CITY

1469  
2/22/41 27

NEW HAMPSHIRE rounds out the Union for—



With its recent starting in The Laconia, New Hampshire, Evening Citizen, THE WASHINGTON MERRY-GO-ROUND makes its nationwide sweep complete.

Drew Pearson's and Robert S. Allen's column now is published in newspapers in every one of the 48 states—and in every U. S. territory.

The total number of these newspapers is 592.

**United**  
FEATURE SYNDICATE  
220 EAST 42ND STREET  
NEW YORK CITY

1812

1470

3/1/41 21

SHARES  
FIRST-PRIZE  
AWARD FOR  
CALIFORNIA'S  
"BEST  
WOMAN'S PAGE"



Mrs. Whiteside receives the first-prize trophy from awards Chairman Ray Lutz.

Mrs. Percy M. Whiteside, wife of the editor and publisher of The Future, California, Times and Advance-Register, writes:

"Your UNITED FEATURE SYNDICATE WOMAN'S MAGAZINE PAGE was one of three pages the others comprised local news of interest to women entered by The Times and Advance-Register which won first award for THE BEST WOMAN'S PAGE in the annual state-wide contest of the California Newspaper Publishers' Association held at Del Monte.

"Aside from the contest award, we have found by several years' experience that this UNITED FEATURE page fits in most admirably with our local women's pages and has been of marked value in building greater interest among women.

"This has been amply demonstrated by numerous inquiries and compliments on the page and steadily increasing circulation."

For samples of this page, and terms, please write to

**United  
FEATURE  
SYNDICATE**  
220 EAST 42ND STREET  
NEW YORK CITY

1812a

Aug 16, 1941 21

7  
years  
old  
443  
papers  
strong



**LIL ABNER**

Seven years ago this week we first released Al Capp's LIL ABNER to 8 subscribers.

Today the comic runs in 443 newspapers including the original 8 with a total circulation of 23 million.

Counting only one reader to a copy, this means that LIL ABNER for 7 straight years has made an average gain of a new reader oftened than every 10 seconds, has added a new subscriber oftener than every 6 days.

Both readership and subscription promise even higher averages next month, when the Don Juan of Dogpatch meets up with Dorothy Lamour and Barbara Stanwyck, in person.

Would you like advance proofs?

**United  
FEATURE  
SYNDICATE**  
220 EAST 42ND STREET  
NEW YORK CITY

May 10, 1941

**PULITZER  
PRIZER  
PEGLER**



Westbrook Pegler, the first communist ever to win the honor this week received the Pulitzer prize "for a distinguished sample of a reporter's work" during 1940.

Pegler's exposures in his daily "Fair Enough" column of sea slub in the ranks of organized labor, leading to the arrest and conviction of George Scallie, was the basis of the award.

This latest recognition of Pegler's reportorial excellence recalls a earlier estimate of his work, given when he already was soundly and nationally celebrated as a communist.

The New York Times remarked then: "Praise has not gone to his legs. He goes after facts and fry angles as a hound goes after his burger."

Alert editors go after Pegler similar fashion.

**United  
FEATURE  
SYNDICATE**  
220 EAST 42ND STREET  
NEW YORK CITY

UNITED  
 ★★ ★ COMICS  
 FEATURES

 <b>ABBIE AN' STATS</b> <small>by Richard Van Dine</small>	 <b>TED ABNER</b> <small>by Alvin Toff</small>	 <b>BACK HOME AGAIN</b> <small>by Ed Doherty</small>	 <b>BRONCHO BILL</b> <small>by Harry Brown</small>	 <b>THE CAPTAIN AND THE KIDS</b> <small>by Robert D. Clark</small>	 <b>ELLA GINDERS</b> <small>by Robert D. Clark</small>
 <b>EVERYDAY MOVIES</b> <small>by Henry Wolfson</small>	 <b>FRITZI RITZ and NANCY</b> <small>by Frank Baumgardner</small>	 <b>HAP HOPPER</b> <small>by Howard Fast</small>	 <b>JASPER</b> <small>by Frank Tier</small>	 <b>JOE JINKS</b> <small>by Robert D. Clark</small>	 <b>LITTLE MARY MIXIE</b> <small>by M. J. C.</small>
 <b>ROOKIE JOE</b> <small>by Jerry</small>	 <b>SEUNKIE</b> <small>by Frank Baumgardner</small>	 <b>STRANGE AS IT SEEMS</b> <small>by Robert D. Clark</small>	 <b>TAILSPIN TOMMY</b> <small>by Robert D. Clark</small>	 <b>TARZAN</b> <small>by Robert D. Clark</small>	 <b>WINDY and FREDDIE</b> <small>by M. J. C.</small>

For samples of these features and format, please inquire of United Feature Syndicate, 220 East 42nd Street, New York

1812b



1472

EIGHTEENTH ANNUAL DIRECTORY OF SYNDICATED FEATURES



# EDITOR & PUBLISHER

THE FOURTH ESTATE

509 17th Street Building • NEW YORK • 42nd Street and Broadway

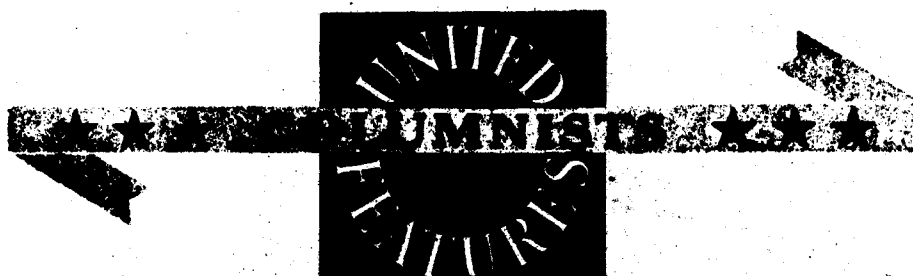


VOL. 74, NO. 38

TWO SECTIONS

SEPTEMBER 29, 1944

SECTION TWO



For copies of these features and copies, please inquire of United Feature Syndicate, 230 East 42nd Street, New York

1812c

2/14/42 23



# MATTED NEWS PICTURES



**Full-page  
Or Chopped**

Surveys show that news pictures have a 92 per cent reader interest.

Satisfy—at comfortable cost—this pre-eminent interest by using the pre-eminent matted news picture service in the field today—that of United Feature Syndicate.

Coverage of news is complete. Editing is alert, quick to give special service when big news, such as the Normandie fire, breaks. Sharp, deep-etched engraving insures clear, crisp reproduction from mats. Flexibility is afforded by issuance of mats either in full pages or chopped.

Would you like to have samples and terms?

**United**  
FEATURE  
SYNDICATE  
220 EAST 48th STREET  
NEW YORK CITY

1473

5/9/42 19

## 500 Editors



PEGLER

**Vote Them**



CLAPPER

**America's**



PEARSON

**Leading**



ALLEN

**Columnists**

Results of the University of Wisconsin's Journalism School's poll of 500 daily newspaper editors, reported this week in The New York Times, showed Westbrook Pegler in first place, Raymond Clapper next, and close up, Drew Pearson and Robert S. Allen, as writers of the "best adult columns."

Comments by editors—on Pegler: "Only hard-hitting journalist in America"—on Clapper: "Fair to all sides. Builds reader confidence"—on Pearson's and Allen's "Washington Merry-Go-Round": "Stands in sphere by itself."

Would you like to see current releases by these leading columnists?

**United**  
FEATURE  
SYNDICATE  
220 EAST 48th STREET  
NEW YORK CITY

1812d

1474

Dec. 26, 1942 23

**55 MILLION READERS FOLLOW THESE UNITED FEATURES COLUMNISTS !**



RAYMOND CLAPPER BILL C. SULLIVAN



HARRY PAYNE JOSEPH P. WILSON



ARCH PULESTON WESTBROOK PYLE



FRANK PYLE ELIZABETH BORCHERS



AL WILLIAMS JOE WILLIAMS

In planning feature schedules for 1943, first choices of columnists should be from among those first in circulation. The United Features columnists pictured above reach a total circulation of 55,150,433. We will be glad to send you samples and terms.

**United FEATURE SYNDICATE**  
220 EAST 42ND STREET  
NEW YORK CITY

1813

1/2/43 10

**86 MILLION READERS FOLLOW THESE UNITED FEATURES COMICS !**



Abbie and Nain Li'l Abner



Broncho Bill Captain and the Kids



Ella Cinders Fried Rita



Red Hopper Little Mary Henry



Joe Jinks Nancy



Ron Riley and the Commandos Tarzan

**United FEATURE SYNDICATE**  
220 EAST 42ND STREET  
NEW YORK CITY

[fol. 1814] AFFIDAVIT OF EDWIN M. WILLIAMS

STATE OF NEW YORK,  
County of New York, ss:

EDWIN M. WILLIAMS, being duly sworn, deposes and says:

I am vice president and general business manager of United Press Associations, a New York corporation, hereinafter referred to as UP. The books and records of UP are in my custody and control. I have personally examined the same and the following facts are true as I verily believe:

UP is a stock corporation organized for profit in 1907 and is engaged in gathering and transmitting the news of the world to newspapers, radio stations and others. The majority of its stock is owned by E. W. Scripps Company. In 1907, E. W. Scripps, who was the owner of several newspapers in the United States, purchased the Publishers Press and combined it with the Scripps-McRae Press Association and the Scripps News Association into UP. Before the combination, Publishers Press served newspapers on the Atlantic seaboard, Scripps-McRae served newspapers between Pittsburgh, Pennsylvania, and the Pacific coast, and the Scripps News Association served newspapers in the Pacific coast states. Publishers Press, Scripps-McRae and Scripps News were all news agencies engaged in the gathering and transmitting of news of the world to newspapers.

The Board of Directors of UP is composed of the following: Hugh Baillie, J. H. Furay, J. I. Miller, Karl A. Bickel, Roy W. Howard, W. W. Hawkins and George B. Parker.

UP maintains a complete news service for morning and evening newspapers, radio stations and others.

UP is operated on the basis that neither the amount of the mileage of leased wire circuits nor the number of hours worked by employees is determinative of the character or extent of the news reports of a news agency. The determinative factors are the capacities of the individuals employed, the setup of the organization and the audacity, enterprise, energy and ingenuity with which the enterprise is carried on.

UP maintains bureaus in strategic news centers around the world. Each bureau is assigned to cover the news developing in a definite geographic unit. In this manner the job of collecting the news of the world is organized so that there is full detailed responsibility and a minimum of duplication of effort or expense.

Each bureau has a staff of full time news employees, who collect and write the news. Part of this news is covered by UP's own staffers in important news producing points such as state and national capitals, big cities, etc.

In addition each area has a staff of string correspondents. Many of these are employed on local newspapers or radio stations. These string correspondents have definite territory assignments, and are responsible for news coverage twenty-four hours daily. Attached hereto and marked Exhibit 1 is a list of the names and addresses of UP string correspondents in its Central Division.

All bureaus in the United States are connected by an elaborate network of wires leased from the A. T. & T. These circuits criss-cross the nation from the Atlantic to the Pacific and from Canada to Mexico. In addition to connecting the UP bureaus, these wires lead into the editorial rooms of UP subscribers across the states.

At the time of its organization in 1907, UP had 369 newspaper subscribers to its news service. As of December 1, 1941, UP had 1,399 newspapers, 471 radio stations and 121 others subscribing to its news service, or a total of 1,991 subscribers.

In 1907, all of UP's 369 subscribers were evening newspapers. At that time, UP had no morning wire service. As of September 30, 1941, UP had in the United States 150 daily English language morning newspaper subscribers, 695 daily English language evening newspaper subscribers, [fol. 1816] 17 Sunday only English language newspapers, and 119 other newspapers subscribers, a total of 981 newspaper subscribers in the United States. In addition, as of September 30, 1941, UP had 391 foreign newspaper subscribers.

Of the 981 domestic newspaper subscribers to UP news service on September 30, 1941, more than 600 are not listed in Exhibit F annexed to the complaint in this action.

The total expenditures, excluding federal taxes, of UP in conducting its business of gathering and distributing its

news service to its subscribers and the average total number of such subscribers for each year from 1907 to 1941, inclusive, were as follows:

<i>Year</i>	<i>Total Expenditures</i>	<i>Total Number of Clients</i>
1907	251,560.39*	369
1908	544,964.10*	359
1909	601,903.92*	392
1910	688,647.15*	427
1911	626,980.89*	426
1912	635,052.87*	491
1913	651,750.49*	496
1914	709,600.11*	595
1915	775,599.95*	586
1916	806,093.20*	653
1917	899,539.18*	726
1918	1,166,706.15*	716
1919	1,411,447.02*	745
1920	1,826,840.46*	782
1921	1,989,488.41*	796
1922	2,161,614.95*	882
1923	2,306,699.14*	901
1924	2,493,742.52*	951
1925	2,706,633.72*	991
1926	3,190,356.71*	1038
1927	3,496,634.84*	1037
1928	3,664,472.23*	1114
[fol. 1817]		
1929	3,903,041.67*	1137
1930	4,192,741.52*	1317
1931	4,087,769.63*	1209
1932	3,858,670.10	1167
1933	3,615,886.09*	1182
1934	3,918,725.64*	1291
1935	4,208,490.74*	1447
1936	4,621,315.50*	1550
1937	4,873,990.89*	1629
1938	5,298,765.94	1693
1939	5,423,096.55	1790
1940	6,053,388.98	1839
1941	6,647,863.61	1991

\*NOTE: These figures do not include foreign expenses not recorded on our New York books.

The names and locations by states of all domestic English language, daily and Sunday only newspapers, totaling 862, to which UP supplied its news service on September 30, 1941, and the year in which each such domestic newspaper became a subscriber to UP news service, are listed on Exhibit 2 annexed hereto.

The names and locations by countries of all foreign newspapers, totaling 391, to which UP supplied its news service on September 30, 1941, are listed on Exhibit 3 annexed hereto.

The location of each of the UP 61 domestic bureau offices and 33 foreign bureau offices maintained in August, 1942, with the coverage of each bureau office, the number of employees and description of the duties of each employee is contained in Exhibit 4 annexed hereto.

The location of 14 additional foreign bureau offices maintained by UP in the period from January 1, 1933, to September 1, 1939 (prior to the outbreak of the present [fol. 1818] war), with the coverage of each such bureau office, the number of employees and a description of the duties of each employee is contained in Exhibit 5 annexed hereto.

As of August, 1942, the total number of full-time employees and string men utilized by UP in the United States in its news service was 2,885, of whom 797 were full-time employees. In addition, UP employed on that date 183 part-time employees, besides string men.

In addition, 584 domestic newspapers and 457 domestic radio stations were obligated to furnish local news collected by their reporters, correspondents and string men to UP. Attached hereto marked Exhibit 6 is a list of the newspapers and radio stations in the UP Central Division which were so obligated.

As of August, 1942, the total number of full-time employees and string men utilized by UP in foreign countries in its news service was approximately 1,279, of whom 529 were full-time employees.

In addition, many foreign newspapers and many foreign radio stations were obligated to furnish local news collected by their reporters, correspondents and string men to UP.

The number of UP reporters and correspondents who in the period from January 1 to May 1, 1943, were with the armed forces of the United States as representatives of UP has varied from 25 to 30.

As of August, 1942, the UP staff at Washington included 64 editorial employees.

The names of the foreign organizations which exchanged news with UP during the years 1941 and 1942, are as follows:

Australian Associated Press. Full service available in Australia; some in New York.

Central News of China. Full service available in Chinkiang.

[fol. 1819] British United Press. Full service available in Montreal.

Tass Agency. Full service available at Moscow; some at New York.

Agence Anatole, Turkey. Full service available at Ankara.

The names of additional foreign organizations which exchanged news with UP in the period from January 1, 1933, to September 1, 1939 (prior to the outbreak of the present war) are as follows:

Agence Radio	Paris, France
Nippon Denpo	Tokio, Japan

The names of the organizations, domestic and foreign, from which UP purchased news during the years 1941 and 1942, are as follows:

Domestic Agencies

Ship News Reporters Association  
15 Moore Street, New York, N. Y.

Standard News Association  
63 Park Row, New York, N. Y.

Dow-Jones & Company  
44 Broad St., New York, N. Y.

Western Union Telegraph Co.  
60 Hudson Street, New York, N. Y.

(Financial quotations)

Western Union Telegraph Co.  
Chicago, Illinois

(Sports)



Postal Telegraph Company

Columbus, Ohio

(Sports)

[fol. 1820] Western Union Telegraph Company

Indianapolis, Ind.

(Sports)

Madden News Service

Hoboken, N. J.

Al Munro Elias

11 West 42nd St., New York, N. Y.

(Baseball statistics)

Copeland News Service

Boston, Mass.

Urner Barry Company

175 Chambers St., New York, N. Y.

Court News Combination

Philadelphia, Pa.

Standard & Poors Corp.

New York, N. Y.

(Financial statistics)

Comtelburo, Ltd.

66 Beaver St., New York, N. Y.

#### Foreign Agencies

Exchange Telegraph, Ltd., London, England

British Press Association, London, England

Daily Telegraph, Ltd., London, England

Comtelburo, Ltd., London, England

Agencia EFE, S. A., Madrid, Spain

Agencia Mencheta, Madrid, Spain

[fol. 1821] ANP Ticker Service [1941 only], Amsterdam, Holland

Scherl-Verlag [1941 only], Berlin, Germany

DNB [1941 only], Berlin, Germany

Agence Havas, Vichy, France

Observatore Romano [1941 only], Rome, Italy

Stefani [1941 only], Rome, Italy

ANETA, 50 Rockefeller Plaza, New York, N. Y.

Australian United Press, Melbourne, Australia

The names of the additional foreign organizations from which UP purchased news in the period from January 1, 1933 to September 1, 1939 (prior to the outbreak of the present war) are as follows:

Lloyd's Register, London, England  
Central News, London, England  
Febus Agency, Madrid, Spain  
Politische Korrespondenz, Berlin, Germany  
Telegrafien Union, Berlin, Germany  
Tel-Komp Agency, Vienna  
Amepress, Vienna  
Herzog Agency, Vienna  
Wilhelm Police Agency, Vienna

UP maintains a complete financial news service, including all stock, bond and curb transactions, local markets, foreign markets, commodity markets, etc. Forty full-time employees are exclusively employed in handling the distribution of UP's financial news service. In addition, a large number of other employees devote part of their time to the UP financial service. String correspondents as well as regular employees contribute to this service.

UP also maintains a complete racing and sports news service. UP has a complete national election service.

The total daily basic news reports of UP on a nationwide basis total approximately 750,000 words.

The total daily basic news reports of UP furnished to Chicago total approximately 390,000 words, 264,000 to Chicago morning papers and 126,000 to Chicago evening newspapers.

The total daily basic news reports of UP furnished to Washington, D. C., total approximately 208,800 words, 115,200 words to Washington morning newspapers and 93,600 to Washington evening newspapers.

UP has in the United States 169,179 miles of leased wires connecting 643 cities, a list of which are annexed hereto as Exhibit 7.

The network of leased wires is broken into various circuits throughout the country, the grouping being determined largely by common news interest.

UP operates state or regional leased wires in the 39 states shown on Exhibit 8, annexed hereto.

I have read the affidavit of Manfred K. Toeppen filed by the plaintiff in support of this motion for summary judgment. The Toeppen affidavit specifically excludes circuits Nos. 7551 and 7552 which are leased by UP from A. T. & T. These two circuits total 20,132 miles or an

equivalent on the basis of the formula used by Mr. Toeppen in his affidavit, of 3,262,643 weekly mile hours. These circuits serve, in addition to radio stations, 54 newspapers and are utilized as feeders of news reports to all wires of UP Bureaus.

UP has no asset value contracts covering morning papers in Chicago, Washington, New York, Philadelphia, [fol. 1823] Detroit, Los Angeles, Cleveland, Baltimore, St. Louis or Boston, and no such contracts covering evening newspapers in Washington, New York, Philadelphia, Detroit, Cleveland, Baltimore, St. Louis, Boston or Pittsburgh.

I have read the interrogatories Nos. 36, 37, 38, 39 and 40 addressed by the plaintiff to The Associated Press in this suit. With the appropriate changes such as UP subscribers for Associated Press members, UP bureaus for Associated Press bureau, and UP employees for Associated Press employees, the true and correct answer of UP to such interrogatories, if addressed to it, would have been substantially the same as are the answers of The Associated Press.

The provisions of Sections 5 and 6 of Article VIII of the By-laws of The Associated Press which I have examined and which are annexed as Exhibit E to the complaint, have not prevented UP from obtaining local news of events of spontaneous origin occurring in the United States.

Practically all local news is reported to UP bureau offices over the telephone or by telegram or in person. Only a very small percentage of local news is reported to UP bureau offices over leased wires.

UP news service is accurate, non-partisan and comprehensive.

I know of no instance where access to the service of a particular news agency has been determinative of a newspaper's success or failure.

I know of nothing to prevent another organization comparable to UP, The Associated Press or International News Service undertaking to serve newspapers on a comprehensive basis.

There is vigorous rivalry and competition between UP, The Associated Press and International News Service in both the collection and the distribution of news and in the securing of newspaper subscribers and members.

In my experience, newspaper readers have not preferred or demanded The Associated Press news service as against UP news service.

[fol. 1824] Annexed hereto and marked Exhibit 9 are typical advertising and promotional material issued by UP during the years 1941 and 1942. In addition, UP has issued and distributed monthly during the past two years, booklets entitled "UP Play" each of which contains "Samples of prominent front page positions United States dispatches have earned in newspapers using two or more wire services".

Attached hereto and marked Exhibit 10 is a list of the newspapers, with their circulations, presently served by the British United Press, Ltd., a wholly owned subsidiary of UP.

Attached hereto and marked Exhibit 11 is a list of Canadian radio stations served by British United Press, Ltd., all of which were obligated by contract to supply British United Press with local news, collected by them.

The British United Press, Ltd., has not been prevented from obtaining local Canadian news by reason of any provisions of the By-laws of the Canadian Press or otherwise.

I have examined the lists of newspapers contained in Exhibit 14 of the affidavit of Alfred McClung Lee, appearing at pages 169 and 170 of the printed volume of affidavits filed by the plaintiff in support of its motion for summary judgment in this case. I have examined the records of UP as to the amounts presently payable to the 53 newspapers listed on Exhibit 14 under UP asset value contracts. In 6 instances the amounts so payable are under \$10,000; in 20, from \$10/20,000; in 15, from \$20/30,000; in 6, from \$30/40,000; in 4, from \$40/50,000; in 1, from \$50/60,000, and in 1, from \$60/70,000. UP does not have any exclusive contracts with newspapers.

(S.) Edwin Moss Williams.

Sworn to before me this 17th day of June, 1943.  
Carl B. Molander, Notary Public. (Seal.)

## CENTRAL DIVISION CORRESPONDENTS

## ILLINOIS CORRESPONDENTS

Town	Name of Correspondent	Street Address (if any)
Albion	Mrs. Carro Long	116 W. Main St.
Aledo	Harold Nesbitt	
Altamont	C. E. Ferris	News
Alton	P. B. Cousley	Telegraph
Amboy	Gene Straus	News
Anna	H. C. Reppert	Democrat
Antioch	H. B. Gaston	News
Arcola	P. A. Lindenmeyer	Record
Atlanta	Geo. Carihfield	News
Aurora	Lewis Mrkvicka	1037 Fifth St.
"	Robert Richards	Beacon News
Barrington	Geo. Elliot	Review
Barry	H. E. Hess	Adage
Batavia	A. P. Benson	Herald
Beardstown	Virgil Reither	Illinoian Star
Belleville	Joe Adams	News Democrat
Belvidere	Frank Loomis	Republican
Benton	Paul Lyon	
Bloomington	Harold Adams	Pantagraph
Bridgeport	R. R. Rucker	Leader
Bushnell	G. L. Chain	Democrat
Cairo	H. M. Hill	1010 Washington Ave.
Canton	Jas. A. Murphy	Ledger
Carbondale	H. M. Jenson	Herald
Carlinville	Mrs. Lucille Novak	
Cartersville	Frank Ledbetter	Herald
Carlyle	H. C. Norcross	
Carmi	Howard Reedy	Democrat Tribune
Carrollton	Mrs. Ruth Baltz	
Carthage	Mrs. W. C. Rowland	Gazette
Casey	Otto Gust	Reporter
Centralia	Wilbur Quick	Sentinel
Champaign	Ed Borman	News Gazette
"	Pat Harmon	Sports Dept. News Gazette
Charleston	Benjamin Weir	Courier
Chester	Chas. E. Mueller	
[fol. 1826]		
Chillicothe	G. P. Scott	Bulletin
Clinton	Ralph Peltz	Journal Public
Collinsville	J. O. Monroe	Herald
Crystal Lake	R. Boyle	Herald
Danville	Hud Robbins	Commercial News
Decatur	Oliver Miller	1277 W. Forrest St.
DeKalb	F. W. Greenaway	Chronicle
DePue	P. M. Mahoney	Leader
Dixon	Rolland A. Maxson	714 W. Third St.
Duquoin	June Bierbower	Evening Call
Dwight	A. S. Hollbrook	Herald
East St. Louis	Harry Barnes	Journal
Edwardsville	H. C. Crocker	Intelligencer
Efingham	Viola M. Hill	912 Edge Ave.
Eldorado	O. Trigg	Journal
Elgin	W. Boyer	Courier News
Elizabethtown	Harry Porter	
Eureka	Miss Ina Bachmann	

## EXHIBIT 1—Continued

## ILLINOIS CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Fairfield	T. O. Matthews	
Farmer City	E. S. Wightman	Journal
Flora	Mrs. Pauline J. Spencer	News
Fulton	C. L. Wilcox	Journal
Freeport	T. F. Lawless	Journal Standard
Galena	H. L. Grimm	Gazette
Galesburg	Robert Switzer	Register Mail
Galva	John T. Nowlan	News
Geneseo	J. H. Perry	Republican
Geneva	C. F. Mead	Republican
Georgetown	F. B. Fletcher	News
Gibson City	John Woolley	Courier
Gillespie	Mrs. E. C. Frederickson	
Gilman	F. H. Simons	Star
Golconda	Phil Craig	Herald Enterprise
Granville	Edward Hawthorne	Record
Greenville	George L. Denny	Advocate
Hamilton	G. H. Gale	Journal
Hardin	A. B. Campbell	
Harrisburg	Curtis G. Small	Register
[fol. 1827]		
Harvard	P. E. Whittleton	Herald
Havana	Grace Durdee	
Hillsboro	J. S. Griffin	
Hoopston	Elizabeth Russell	Chronicle Herald
Jacksonville	Edgar Parsons	W. L. D. S.
Jerseyville	Arthur Thatcher	
Joliet	R. M. Holt	W. C. L. S.
Jonesboro	Paul Ellis	
Kankakee	Al Mayer	621 So. Lincoln Ave.
Kewanee	C. O. Schlaver	Star Courier
Knoxville	L. McDavitt	Republican
Lacon	Miss Helen Kelm	
LaSalle	M. J. Bender	
Lawrenceville	Gordon Thompson	Daily Record
Lebanon	Student Editor	The Review
LeRoy	O. J. Bere	Journal
Lewistown	W. J. Duvall	Record
Lincoln	L. B. Shroyer	
Litchfield	F. P. Hanafin	
Lockport	Mrs. E. H. Spurrier	307 17th St.
Lombard	L. S. Whibbeck	Spectator
Lovington	T. L. Conn	Reporter
McLeansboro	Jack Daniel	Times Leader
Macomb	Clarence Maguire	
Madison	Irene Hilt	Republic
Marion	Homer Butler	Republican
"	E. R. Jones	Post
Marshall	Thomas McClure	National Dixie Hotel
Mattoon	J. W. Wells	Journal Gazette
Mendota	G. W. Nisley	Reporter
Metropolis	W. D. Harrington	311 E. 10th St.
"	Paul Ragsdale	Box 29
Monmouth	Earl Bennett	
Monticello	Mrs. Allen Anderson	
Morris	Francis J. McTaggart	Herald
Mound City	Willis Edwards	Enterprise
Mt. Carmel	Earl Allison	Republican Register
Mt. Sterling	W. R. Brooks	Democrat

[fol. 1828]

## EXHIBIT 1—Continued

## ILLINOIS CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Mt. Vernon	Hon. Clyde Lee	
Murphysboro	W. G. Piggott	Independent
Nashville	Carolyn Troutt	Journal
Newton	Lawrence Shupp	Press
Normal	C. A. Burner	Normalite
Olney	Allen Yount	Mail
Oquawka	C. M. Bell	Journal
Oregon	Chester Landers	
Pana	Mrs. Geo. Dougherty	
Paris	Ed Jenison	Beacon News
Paxton	H. H. Stevens	Record
Pekin	Shirley Dennis	Times
Peoria	J. Robert Ellis	Star
Peru	Chas. Miller	Times-Herald
Petersburg	Mrs. Gladys Hudspeth	
Pinckneyville	L. B. Sheley	Democrat
Pittsfield	Mrs. Rose Brooks	
Pontiac	Lloyd Armstrong	Leader
Princeton	Samuel Traynor	Bailey Enterprises
Quincy	F. J. Baldwin	1906 Ohio St.
Robinson	George McCarty	News
Rock Island	Herb Wilson	Argus
Rockford	Dick Day	Sports Dept.
"	R. G. Trank	Register Republic
"	Curt West	Register Republic
"	Gertrude Abbott	Star
Rushville	Chas. E. Vursell	Republican
Salem	D. C. Pickard	Times Journal
Savanna	P. J. Walter	Democrat
Shawneetown	W. H. Taylor	Union
Shelbyville	Adolph J. Belval	300 S. Amos Ave.
Springfield	Harry E. Kidd	Gazette
Sterling	John Forwoff	Times Press
Streator	Glen Cooper	Moultrie County News
Sullivan	Mrs. Leota Burns	Breeze Courier
Taylorville	Newt Rule	Sun
Trenton	County Judge	
Toledo	Chas. M. Connor	
Toluca	Clyde Larimer	

[fol. 1829]

Toulon	Robert J. Nowlan	News
Vandalia	Mrs. Mike Miller	
Vienna	Royce Bridges	Vienna Times
Waterloo	Herman Dalkert	Times
Watska	Robert Cooksey	Times
Waukegan	Alex Wilson	News Sun
West Frankfort	W. Henson Purcell	American
Wheaton	Bill Bauler	110 Wesley St.
Winchester	Mrs. J. E. Saffer	
Yorkville	John R. Marshall	Record
Zion	Alex Wilson	2622 Elizabeth

## INDIANA CORRESPONDENTS

Alexandria	R. M. Yelvington	Times Tribune
Anderson	Sam Forkner	1401 W. 2nd St.
Attica	W. R. Smith	Democrat
Angola	Lucy Emerson	Herald

## EXHIBIT 1—Continued

## INDIANA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Auburn	Charles Johnson	Auburn Printing Co.
Aurora	Wilfrid Ullrich	403 Main
Bedford	Perc Turner	1808 W. 13 St.
"	Raymond Snapp	Times-Mail
Berne	H. Gross	Witness
Bluffton	Franklin Buckner	News Banner
Boonville	Josephine A. O. Taylor	
Brookville	Marjorie Baker	
Brazil	Ralph Plumb	Times
Bloomington	Robert MacGill	Phi Gamma Delta House
"	Walter McElvain	The Telephone
Brownstown	R. A. Brodhecker	Banner
Brazil	Charles Johnson	20 W. Robinson St.
Butler	A. S. Powers	Herald
Cambridge City	O. S. Peelle	Traveler
Chesterton	W. R. Canright	Tribune
Clinton	Martha Mackie	Clintonian
Crown Point	F. Wheeler	Star
Columbia City	Edwin Meitzler	Post & Commercial Mail
Columbus	Bob Gordon	Evening Republican
[fol. 1830]		
Connersville	E. I. Higgs	News Examiner
Corydon	L. F. Rogers	
Covington	Laura Bess Graham	
Culver	W. E. Leland	
Crawfordsville	Russell Hesler	Journal Review
Danville	Vera Hall	Gazette
Decatur	Pete Reynolds	Democrat
Delphi	Jeanne Bailey	Citizen
Dunkirk	C. G. McConnell	News
East Chicago	George Huish	News
Elkhart	Bob Beyer	815 Kilbourn St.
Elwood	D. W. Carlson	Call Leader
English	Mrs. Lelah Austin	
Evansville	Ernest Jones	Press
Fairmont	J. R. Grahl	News
Ft. Wayne	Phil Nicar	c/o Ryan, U. P., Ft. Wayne
Fowler	Richard Stockholm	
Flora	A. L. Moss	Democrat
Frankfort	Robert Starr	Times
Franklin	Boyd Gill	Evening Star
French Lick	W. F. Gruber	Herald
Garrett	C. B. Hamilton	Clipper
Gary	Arnold Coons	Post Tribune
"	Norman Werry	" "
Gas City	W. L. Leach	Journal
Goshen	R. C. Lehman	News Democrat
Greensburg	Kenneth Rinker	Daily News
Greencastle	James B. Zeis	Banner
Greenfield	Charles Walker	Daily Reporter
Hammond	John Whitaker	Times
Hartford City	Nelson C. Townsend	News Times
Huntington	Charles Paul	Herald Press
Jasper	Arthur Wagner	
Jeffersonville	Wallace Blair	Megis & Ohio River
Kendallville	Herald Shew	News Sun
Kentland	Ira Dixon	
Knightstown	R. D. Shipman	Banner
Knox	Howard Steele	



[fol. 1831]

## EXHIBIT 1—Continued

## INDIANA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Kokomo	George Wheeler	Tribune
LaPorte	Cy Parker	Herald-Argus
Lafayette	Stewart Wolfe	Station WBAA
LaGrange	Ruth Waddell	207 W. Central
Lebanon	Al Wynkoop	Daily Reporter
Liberty	Daniel Paddock	Herald
Linton	Vance Sappenfield	Citizen
Logansport	Donald Freehafer	Pharos-Tribune
Loogootee	O. M. Harris	Tribune
Madison	John McGuire	Courier
Marion	Charles Callahan	Observer
Martinsville	Wayne Marshall	Reporter
Michigan City	E. Preston Calvert	News-Dispatch
Mishawaka	James Rhodes	Enterprise
Mitchell	Pete Cox	Tribune
Monticello	Mrs. Mabel Overman	Herald Journal
Mt. Vernon	Orvan Hall	Democrat
Muncie	Bob Barnet	Sports, Star
"	Leon Parkinson	Press
"	H. Silverburg	Sports, Press
Napanee	Henry Field	Advance
New Albany	John Faith	Tribune
New Castle	Mrs. Esther Templeton	332½ N. 12th St.
Noblesville	Vern Wicker	Ledger
North Manchester	R. Schmedel	News
North Vernon	Alice Miller Downs	
Notre Dame	Joseph Petritz	Athletic Publicity Director, University of Notre Dame
Nashville	George Allison	
Osgood	Mrs. Mary Bilby	
Oakland City	K. H. Wiggs	Journal
Paoli	Leslie Hickman	
Peru	Tom Walsh	Tribune
Petersburg	D. Montgomery	
Plymouth	Howard Grossman	Pilot
Portland	Raymond Journey	Sun
Rensselaer	H. B. Clark	Republican
Richmond	Ed Kaeuper	535 S. 8th
[fol. 1832]		
Rising Sun	H. D. Green	
Rockport	Warren Lindsey	Journal
Rockville	Curtis Hostetter	
Rochester	Rosanna Young	News Sentinel
Rushville	Barton Cartmel	Republican
Princeton	Lester Mahan	Clarion News
Salem	Charles Morris	
Scottsburg	Earl Cravens, Jr.	Democrat
Shelbyville	Norman Thurston	Republican
"	Leo Kinman	
Shoals	John J. Edwards	
Seymour	Mrs. Aline Wesley	401 Emerson Drive
Spencer	Mrs. Helen Kaufman	World
South Bend	Eli Miller	Tribune
"	Bob Overaker	"
"	Joe Adams	Times
Sullivan	Ben Cummings	News
Tell City	M. P. House	Tribune
Terre Haute	George Jackson	Station WBOW
"	"	

## EXHIBIT 1—Continued

## INDIANA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Tipton	Paul Squires	Tribune
Troy	Willard T. Anderson	
Valparaiso	Robert Allett	Vidette-Messenger
Vincennes	A. R. Cochran	Sun-Commercial
Wabash	Jeanne Grover	Plain Dealer
Warsaw	Robert McGlynn	Times & Union
Washington	Ralph I. Burris	Democrat
Whiting	George Jones	Times
Williamsport	Mrs. Ruth Pleasant	Williamsport
Winamac	Mrs. Ralph Curtis	
Winchester	Robert Kist	Journal Herald
Winslow	A. J. Huering	Dispatch

## IOWA CORRESPONDENTS

Ackley	G. F. Althouse	Journal
Adel	Scott Snyder	
Akron	R. A. Smith	Register
Albia	R. S. Everett	Union Republican
[fol. 1833]		
Algona	E. S. Kinsey	
Allison	Gladys Codner	
Alton	G. E. Bowers	Democrat
Ames	Bob Sprinkle	Tribune
Anamosa	Bess E. Sherman	
Arnolds Park	Hattie Elston	
Atlantic	W. E. Tracy	News Telegraph
Audubon	Mrs. L. H. McClaren	
Bedford	Kenneth Crabb	Taylor County Herald
Belle Plaine	R. O. Burrows	Union
Bellevue	C. R. Byland	
Blenco	N. C. Gray	
Bloomfield	V. G. Lindgren	
Boone	K. S. Goodrich	News Republican
Britt	John Roberts	News Tribune
Brooklyn	L. L. Kinnamon	Chronicle
Burlington	Lowell Fuller	Box 557
Carroll	Ethel Forrest	
Cascade	Harry Martin	
Cedar Falls	Aaron Levine	
Cedar Rapids	Ernest Mickel	1240 Elmhurst Dr.
Centerville	Cy Newbold	
Chariton	John Baldridge	
Charles City	Calvin H. Jones	
Cherokee	Mrs. Harriet Gordon	343 E. Cedar St.
Clarinda	Gerald Bogan	
Clarion	Mrs. J. K. Hilton	
Clarksville	George Evans	Star
Clear Lake	T. F. Farnan	Mirror
Clinton	Mrs. Ethel Murphy	214 Seventh Ave.
Colfax	S. E. Tennant	Tribune
Coon Rapids	Mary Mitchell	
Corning	A. L. Gauthier	Free Press
Council Bluffs	Margaret Tinley	World Herald
Cresco	L. P. Barth	
Creston	Louis Debo	
Davenport	Craig Campbell	Station WOC
Decorah	E. C. Bailey	

[fol. 1834]

## EXHIBIT 1--Continued

## IOWA CORRESPONDENTS--Continued

Town	Name of Correspondent	Street (Address if any)
Denison	A. H. Sanders	Bulletin
Dewitt	Mert Sheldstad	Observer
Dubuque	W. A. Kennedy	Telegraph Herald
Eagle Grove	L. W. Worthington	
Eldon	P. J. Metzger	Forum
Eldora	Gladys Ziesman	
Elkader	Merrill R. Smith	
Emmetsburg	Mrs. Allen R. Bailey	
Estherville	J. H. Orvis	
Fairfield	Dean Gabbert	Ledger
Forest City	L. D. Prewitt	
Fort Dodge	L. A. Gifford	Station KVFD
Fort Madison	Harold Funkhouser	Democrat
Garner	Fred C. Missal	
Glenwood	Wayne D. Choate	Opinion Tribune
Gowrie	L. L. Patton	News
Greenfield	Kenneth Kirlin	
Grinnell	Richard P. Pooley	
Grundy Center	Mrs. Rhea Hensley	
Guthrie Center	Cletus Ward	800 Prairie St.
Guttenberg	Charles Milliham	Press
Hamburg	F. W. Hill	Reporter
Hampton	T. W. Purcell	Chronicle
Harlan	Fritz Logeland	
Humboldt	Mrs. Genevieve Savage	
Ida Grove	Mrs. Florence Rauch	
Independence	Frank B. Ireland	
Indianola	Frank Brown	
Iowa City	Loren T. Walsh	N-103 E. Hall
Iowa Falls	E. C. Cassill	Citizen
Jefferson	Will I. Lyon	407 S. Oak St.
Keokuk	Douglas Lamont	Gate City
Keosauqua	Mrs. H. W. Essex	
Knoxville	Mrs. L. A. Gee	2116 Pleasant St.
LeMars	Shirley Rohlfson	
Leon	Idavee Crouse	
Logan	R. M. McCabe	
Madrid	Tom Lucas	News

[fol. 1835]

Manchester	Clarence Cox	
Manly	Bob Culver	Signal
Maquoketa	Arthur Bowman	1204 E. Platt St.
Marengo	Hattie Crenshaw	
Marion	Jack Papes	Sentinel
Marshalltown	F. L. Van Gilder	503 N. 15th
Mason City	Morgan J. McEnaney	
Melcher	C. W. Bishop	Union
Missouri Valley	Max G. Mandelko	314 N. Third
Montezuma	N. H. Keller	
Mt. Ayr	Mrs. Irene Hood	
Mt. Pleasant	A. M. Patterson	News
Mt. Vernon	Gerald Hill	
Muscatine	Bette Wilton	119 Laurel St.
New Hampton	Mrs. G. T. Murphy	
Newton	Mary Reynolds	County Attorney's office
Northwood	Morris Bakketun	
Oakland	Ed Harrison	Acorn
Oelwein, Ia.	Alberta Ibach	Register

## EXHIBIT 1--Continued

## IOWA CORRESPONDENTS--Continued

Town	Name of Correspondent	Street Address (if any)
Orange City	A. F. Van Wechel	
Osage	Bess Arsers	Press News
Osceola	F. L. Abbott	
Oskaloosa	DeWayne Foehlinger	Herald
Ottumwa	Harry Colman	Station KBIZ
Pella	Editor	Central Ray
Perry	W. D. Addison	1516 Estella St.
Pocahontas	Florence Schoofs	
Postville	W. J. Klingbeil	Herald
Pringhar	I. R. Isenberg	
Randolph	W. F. Estes	
Red Oak	Carroll R. Mitchell	Express
Reinbeck	Art Mosier	Courier
Rockford	Ed. Houd	Register
Rock Rapids	George Raveling	
Rockwell City	Mark Cramer	
Sac City	Charles Hacke	
Sanborn	Oley Devoll	Pioneer
Seymour	Bill Dorr	Herald
[fol. 1836]		
Sibley	Ruth Conner	614 Fifth Ave.
Sidney	Mrs. Hugh Jackson	
Sigourney	Mrs. Rosa Shaver	
Sioux City	J. H. Lowry	1813 Isabella St.
Spencer	Roy A. Jarnagin	Times
Spirit Lake	Ora Smith	Beacon
Storm Lake	Kermit Buntrock	Pilot-Tribune
Tipton	G. W. White	
Toledo	Virginia Lichty	
Vinton	Tom Kruse	Times
Wapello	Verne Buster	
Washington	Mrs. Mary Berry	208 E. Washington St.
Waterloo	Annette Lingelbach	1717 W. 3rd St.
Waukon	Leon Henderson	Democrat
Waverly	Leslie Moeller	Waverly Independent
Webster City	H. C. McConaughy	
Winterset	Dale Simmons	

## MICHIGAN CORRESPONDENTS

Albion	G. V. Mather	Recorder
Algonac	T. L. Hummel	Courier
Allegan	Katherine Winter	Phone: 123 M
Adrian	F. Robert Saul	124 W. Maple Ave.
Alma	H. M. Dean	632 Wright Ave.
Alpena	Ray McCallum	News
Ann Arbor	Richard Simon	2006 Washtenaw
Bad Axe	Robert Hecox	Tribune
Baldwin	H. W. Davis	
Bangor	H. A. Wood	Advance
Battle Creek	Cecil Munson	195 Fairfield
Bay City	Jo Hegenauer	407 Van Buren St.
Bellaire	W. K. Richards	
Beulah	Andrew Johnson	
Big Rapids	Eldon Hamm	Pioneer
Birmingham	George R. Averill	Eccentric
Bessemer	M. R. Burt	Herald
Blissfield	Mrs. Marion Bradley	
Buchanan	Walt Hawes	Record

[fol. 1837]

## EXHIBIT 1—Continued

## MICHIGAN CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Cadillac	M. Van Valkenburgh	News
Calumet	T. J. Martin	Miner
Caro	Don Ellwanger	Postmaster
Charlevoix	Kenneth Usher	Courier
Charlotte	Art Carlson	
Cheboygan	Gordon Turner	Tribune
Chelsea	M. W. McClure	Standard
Clare	Austin F. Bates	
Coldwater	Seton Boyee	Reporter
Crystal Falls	T. D. Conlin	Diamond Drill
Dearborn	H. W. Klamser	News
Detroit	Stanley L. Brink	12255 E. Outer Drive
Dowagiac	W. F. McIlrath	News
Durand	M. B. Gallagher	Express
East Lansing	Virginia Ridgway	1317 W. Grand River
East Tawas	E. M. Otis	Gazette
Escanaba	Kenneth Gunderman	913 S. 15th St.
Flint	Jack Lewin	351 Sheffield
Flushing	W. E. Beebe	Observer
Freemont	D. V. Werp	Times Indicator
Gaylord	Paul MacDonald	Herald Times
Gladwin	Ink White	Record
Grand Haven	Milton E. Burr	518 Franklin St. Phone: 1150
Grand Rapids	Janet Logie	54 Ranson Ave., NE.
Grayling	O. P. Schumann	Avalanche
Greenville	Edith Crosby	News
Hancock	E. M. Laidlaw	808 Franklin St.
Harrisville	E. W. Chapelle	Review
Harbor Beach	C. R. Mizener	Times
Hart	Kieth Dayharsh	Journal
Hastings	Virginia Biard	10 Henderschott Bldg.
Hillsdale	Nick Kerbawy	10 Rippon Ave.
Holland	Louis Wood	Sentinel
Howell	L. B. Merritt	Livingston County Press
Hudson	S. C. Stone	Post
Ionia	J. R. Magney	644 E. Maine St.
Iron Mountain	F. J. Russell	News
[fol. 1838]		
Iron River	G. T. Breen	Reporter
Ironwood	H. O. Sonnesyn	Times
Ishpeming	Ted Butler	Phone: 100
Ithaca	R. McCall	Herald
Jackson	Jay F. Fleming	505 Ellery Ave.
Jonesville	J. A. Kaiser	Via W. U.
Kalamazoo	Jack Bell	828 S. Burdick
"	Homer Dunham	1350 Hillcrest
Lansing	Ellis Brant	c/o Michigan State College
Lapeer	W. A. Myers	Press
"	Lillian Redmond	327 W. Park St.
Ludington	Richard Derrick	News
Manistee	Winston Kuehl	News Advocate
Manistique	Edward Johnson	111 Cedar St.
Marine City	W. A. Robertson	Independent
Marshall	Frank Moses	Chronicle
Midland	Claire Morrill	News
Monroe	William Roeder	Box 153
Mt. Clemens	Edgar Racine	205 Cass

## EXHIBIT 1—Continued

## MICHIGAN CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Mt. Pleasant	Lendy Davis	
Munising	Charles Symon	
Muskegon	Eddie Denkema	WKBZ
Newberry	R. L. Fretz	
Niles	E. J. Smith	Star
Norway	L. D. Randall	Current
Otsego	A. E. Towne	Union
Onoway	F. F. Stutzman	News
Owosso	James Dingwell, Jr.	Argus
Petroskey	H. Lee North	News
Port Huron	Stan Smith	WHLS
Reed City	Wallace Blood	State Highway Garage
Roscommon	E. S. Matheson	
Saginaw	Clinton E. Stroebel	117 Storch St.
Sandusky	Esther Laidlaw	
South Haven	Randall Hobart	Tribune
St. Charles	M. B. Steele	Union
St. Ignace	Clarence Dell	Courthouse
St. Johns	S. L. Marshall	Republican News
[fol. 1839]		
St. Joseph	Thomas Ratcliffe	Herald Press
Standish	F. E. Perlberg	Independent
Tawas City	Percy Thornton	
Three Rivers	Harley Shook	Commercial
Traverse City	Jay P. Smith	Record Eagle
West Branch	J. C. Davies	Herald
White Cloud	Marshall R. Bird	
Wyandotte	Clarence Leibelt	News
Ypsilanti	Harry Conn	202 Brower St.

## MINNESOTA CORRESPONDENTS

Ada	A. C. Pederson	
Adrian	H. H. Peters	Review
Aitkin	Dorothy Pagel	
Albert Lea	Bob Paulson	KATE
Alexandria	Mrs. Peter Unumb	
Anoka	Mrs. Roe Chase	
Aurora	R. E. Yarick	News
Austin	Joe Paget	KATE
Bagley	Eugene Beltz	
Baudette	W. T. Noonan	
Bayport	S. N. Swisher	Herald
Bemidji	Ruth Ellingson	Pioneer
Benson	J. C. McGowan	
Blue Earth	B. A. Johnson	Post
Brainerd	George Wing	Dispatch
Breckenridge	Charles Miller	Gazette Telegram
Buffalo	J. P. McDonnell	
Caledonia	Kate Bouquet	
Camby	M. O. Clements	News
Cambridge	L. O. Carlson	
Cannon Falls	D. D. Lewis	Beacon
Carlton	W. H. Hassing	
Cass Lake	G. Butler	Times
Chaska	John C. Sweeney	
Chisholm	C. B. Brown	Tribune
Cloquette	W. D. Snider	Pine Knot
Crookston	M. Taylor	Times

[fol. 1840]

## EXHIBIT 1—Continued

## MINNESOTA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Detroit Lakes	Almeda Krambeal	Record
Duluth	Art Ramberg	Labor World
East Grand Forks	A. F. Cheka	Record
Elbow Lake	V. W. Brenner	
Eveleth	George Wills	News
Fairabault	H. R. Kelly	Journal
Fairmont	Ed Davis	108 S. Main
Fergus Falls	Leona Grinager	837 N. Union
Gaylord	B. F. Borchert	
Glencoe	F. A. Tudhope	Enterprise
Glenwood	G. A. Iverson	
Grand Marais	Adolph Toftey	
Grand Rapids	Mrs. Leo Henderson	
Granite Falls	Mararet E. Rood	Tribune
Hallock	Paul O. Hanson	
Hastings	John Daley	206½ E. 2nd St.
Hopkins	J. L. Markham	Review
Hutchinson	F. E. Borgen	Leader
International Falls	John Parsons	1107 8th St.
Ivanhone	W. N. Johnson	
Jackson	H. B. Johnson	Pilot
Lake City	E. L. Hibbard	Graphic
Lakefield	H. J. Hayden	Standard
LeSueur	Paul East	News
Litchfield	H. J. Peterson	Independent
Little Falls	Roy E. Johnson	
Long Prairie	Carl C. Carlson	
Luverne	Irid Bjerk	Rock County Star
Madison	Alvin Henningsgaard	
Mahnomen	Les Nelson	Pioneer
Mankato	Margie Barker	Station KYSM
Mankato	Orrin Melton	Station KYSM
Marshall	Mrs. Floyd Manguson	
Milaca	A. R. Cravens	
Melrose	C. W. Carlson	Beacon
Minneapolis	William Caldwell	315 16th Ave., S. E.
Montevideo	Ludwig Roe	News
Moorhead	Ed Eastman	502 Center Ave.
[fol. 1841]		
Mooselake	H. W. Biscoe	Star
Mora	Henry Rines	
Morris	Arnold Thompson	
New Ulm	Virginia Taylor	Journal
Northfield	Don Brieland	Box 34, Carleton College
Olivia	V. B. Pushing	
Ortonville	L. A. Kaercher	
Owatonna	Carol Marx	Photo News
Park Rapids	Keith Rogers	
Pine City	F. P. Gottry	
Preston	A. H. Langum	
Red Lake Falls	Horace Cutten	
Red Wing	Elmer Olson	Republican Eagle
Redwood Falls	H. V. Starr	Civic & Commerce Assn.
Rochester	Don Ranney	524 10th St., S. E.
Roseau	Verner Nelson	
Slayton	J. V. Weber	Herald
St. Cloud	Gloria Reel	Sentinel
St. Paul	William Krueger	2252 St. Clair
St. Paul	Eunice Page	2168 Carroll Ave.

## EXHIBIT 1—Continued

## MINNESOTA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
St. Peter	Marjorie Haesecke	Herald
Stillwater	Walter Forbes	Gazette
Thief River Falls	W. E. Dahlquist	Times
Two Harbors	C. M. Hillman	Chronicle
Wabasha	Mrs. Eugene Lund	
Wadena	Etta J. Burnett	
Walker	Harry Lindstrom	Pilot
Warren	O. M. Mattson	
Warroad	Earl Chapin	
Waseca	Donald Brown	Journal
Wheaton	Nels Jahren	Gazette
Willmar	Marie Aspaas	313 W. 8 St.
Windom	Mrs. E. W. Hanson	
Winona	Len McCurnin	KWNO
Worthington	H. L. Refsell	1200 Sixth Ave.
[fol. 1842]		
Ainsworth	T. E. Ritter	
Albion	G. E. Stanford	
Alliance	Hugh Bunnell	Times Herald
Alma	Merrill Northwall	
Arthur	J. R. Gillespie	
Auburn	Ruth Alden	
Aurora	Carl Swanson	
Bartlett	Ruth Pibel	
Bassett	Duwayne Stockwell	
Beatrice	Robert Johnson	Times
Beaver City	Mrs. Wayne Eaton	
Benkelman	L. Wayne Ketler	
Blair	Reed O'Hanlon, Jr.	
Brester	Elmer DeMaury	
Bridgeport	J. T. Cavett	
Broken Bow	George R. Porter	
Butte	C. J. Tomek	
Burwell	Clyde Ilgenfritz	
Center	Edward J. Lenger	
Central City	Bill Barr	
Columbus	Vern Hoyt	Telegram
Chadron	Guy Harmon, Sr.	
Chappell	G. S. LaSalle	
Dakota City	Victor Hansen	
David City	Fred J. Coufal	
Elwood	Cloyd B. Clark	
Fairbury	Clyde R. Moore	
Falls City	James Ramsey	Journal
Grand Island	E. C. Woodward	KMMJ
Franklin	George E. Brewer	
Fremont	L. J. Bible	Tribune
Fullerton	W. R. Kellogg	
Geneva	Tyler Edgecomb	
Grant	Harry L. Dressler	
Greeley	M. V. Curran	Citizen
Harvard	Lisle Hammes	
Harrison	W. E. Mumby	
Hartington	Helga Swanson	
[fol. 1843]		
Hayes Center	Chas. Enyeart	
Hastings	Ed Wilken	Tribune



## EXHIBIT 1—Continued

## MINNESOTA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Imperial	Janet Smith	
Hebron	Bill Long	Register
Holdrege	John Cain	
Hyannis	W. H. Curtis	
Kearney	Joe Hill	c/o Hub
Kimball	Mrs. G. F. Nelson	
Lexington	Mrs. Ruby Hollingsworth	
Loup City	M. R. Beushausen	
McCook	Al C. Wiebel	Gazette
Minden	Charles Smith	
Mullen	G. A. Miller	
Nebraska City	Arthur Sweet	
Neligh	Fred Mitchell	
Nelson	Victor Scherzinger	
Norfolk	Nelson Barth	News
North Platte	C. H. Craig	Bulletin
Ogallala	George R. Hoover	
O'Neill	Elmer J. Bowen	
Ord	Sylvester Furtak	
Oshkosh	W. F. Greenlee	
Papillion	George P. Miller	
Pawnee City	H. D. Flory	
Pender	Darrow Lorenz	
Pierce	A. P. Gottsche	
Polk	Mrs. Glenn Hill	
Plattsmouth	James I. Hall	
Ponca	J. M. Hurley	
Randolph	Helene Joslyn	
Red Cloud	Miss Reece Robinson	
Rushville	Myrtle Harris	
Springview	Roy S. Brookman	
Scottsbluff	Vivian Cain	KGKY
Schuyler	Mrs. M. E. Cunningham	
Seward	C. H. Rhoades	
Sidney	Jarvis Bush	Telegraph
Stanton	Leland Carson	
[fol. 1844]		
Stapleton	Rudolph Brown	
St. Paul	John J. H. Bell	
Taylor	H. A. Lyon	
Tecumseh	S. W. Thurber	
Tekamah	Ora Russell	
Theford	C. T. McMillan	
Trenton	H. A. Gordon	Co. Cl.
Tryon	F. S. Snyder	
Valentine	Luke M. Bates	
Wahoo	William Kaiser	Wasp
Wayne	Mrs. Marie Brittain	
West Point	Mrs. Margaret DeWald	
Wilber	Victor Hoffman	
Wymore	Earl A. Funk	
York	Thomas D. Bourke	News Times

## NORTH DAKOTA CORRESPONDENTS

Bismarck	Arnold Strand	State Capitol
Fargo	Millard Dunkirk	Station WDAY
Grafton	J. D. Ellis	443 Cooper Ave.
Grand Forks	Jack Horner	KILO

## EXHIBIT 1—Continued

## NORTH DAKOTA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Jamestown	Fred Orr	Reminder
Minott	Sidney Goldfish	News
Williston	S. Th. Westdal	

## SOUTH DAKOTA CORRESPONDENTS

Aberdeen	Alex Johnson	602 S. Arch St.
Brookings	Jerry Boyle	814 Eighth St.
Pierre	Howard C. Anderson	State Publicity Service
Rapid City	Manager	KOBH
Sioux Falls	Merrill Workhoven	KSOO-KELO
Vermillion	Francis Risk	Plain Talk

## WISCONSIN CORRESPONDENTS

Adams	Laura Klinefelter	Times
Alma	Theo. Buehler, Jr.	Journal
Antigo	Fred Snyder	524 Fulton St.
Appleton	L. J. Derus	Post Crescent
[fol. 1845]		
Arcadia	A. H. Gauger	News Leader
Ashland	John B. Chapple	Daily Press
Balsam Lake	Curtis P. Gaylord	Ledger
Baraboo	M. C. Page	News Republic
Bayfield	W. G. Reque	
Beaver Dam	J. E. Helfert	Citizen
Beloit	Bill Garson	P. O. Box 449
"	Harold Hilton	Daily News
Benton	C. M. Vail	Advocate
Berlin	William H. Patey	Journal
Black River Falls	Harriet Noble	B-Journal
Chilton	Mary R. Gallagher	Times
Chippewa Falls	Henry J. Reden	
Crandon	Jack Kronschnabl	Forest County Republican
Darlington	F. B. Goodrich	
Dodgeville	Elizabeth Mitchell	
Durand	Mrs. B. E. Barton	Courier
Eagle River	Joyce Larkin	
Eau Claire	Otto Lund	Evening Telegram
Elkhorn	Leo Dunlap	County Clerk
"	P. G. Fenner	Sheriff's Office
"	Don Morrisey	Res. Phone: Green 181
Ellsworth	O. A. Halls	Record
Florence	C. O. Youngs	Mining News
Fond du Lac	E. R. Clifford	Box 132
Grantsburg	D. O. Olson	Journal
Green Bay	Don Hickok	Press Gazette
Hayward	Adolph Sandstrom	
Hudson	C. J. Reiter	Star-Observer
Hurley	A. F. Cirilli	Montreal River Miner
Kaukauna	C. J. Hansen	Times
Kenosha	Chester M. Zeff	6021 18th Ave.
Kewaunee	Walter Wessley	
LaCrosse	Jas. Lienlokken	Daily Tribune
Ladysmith	O. Garwood	News
Lancaster	Mrs. Dave Crichton	
Manitowoc	Maurice S. Dailey	Station WOMT
Marinette	Don Wirth	Station WMAM

[fol. 1846]

## EXHIBIT 1—Continued

## WISCONSIN CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Marshfield	Floyd Tuchscher	News Herald
Mauston	Norman Suszycki	
Medford	August Roeber	
Menomonie	Tib Rassbach	Dunn County News
Merrill	Joe P. Chilsen	Daily Herald
Monroe	Marie Hamilton	
Neenah	John Studeley	News Times
Neillsville	Robert Harvey	
Oconto	Frank Horak	
"	Martha Horak	
Oshkosh	Henry Kirk	333 S. Park St.
Owen	Gerald B. Smith	
Palmyra	Ken Elwood	Enterprise
Phillips	George R. Foster	Bee
Plymouth	Rex Burnham	Reporter
Portage	Ivan Clyde Lake	Register
Prairie du Chien	Bon Honzel	Press
Racine	Sid Kaye	Journal Times
Rhineland	Earl Morrill	Daily News
Rice Lake	Ralph Young	Chronotype
Richland Center	Russ M. Fogo	Observer
Ripon	Glen Lueck	Rippon College
River Falls	C. E. Clubb	
Shawano	B. F. Heal	Leader
"	Lee Rimmel	
Sheboygan	Harry Maier	Daily Press
Shell Lake	Mrs. Mike Shea	Register
Sparta	Nora Magelee	112½ W. Oak St.
Stevens Point	James W. Hull	Daily Journal
Sturgeon Bay	S. J. Harris	Advocate
Superior	Curtis Miller	1419 Ogden Ave.
Tomahawk	R. V. Every	Leader
Two Rivers	S. Althen	Reporter
Wabeno	J. W. Norris	News
Washburn	C. M. Sheridan	Times
Watertown	Ed Byrne	"
"	Joe Toman	"
Waukesha	Hazel Bivins	Daily Freeman
[fol. 1847]		
Waukesha	Sara Bivins	Daily Freeman
"	G. H. Koenig	" "
Waupaca	John Burnham	Post
Waupum	Les Starch	708 Park
Wausau	Don Burt	Station WSAU
Wautoma	H. J. Kent	
West Bend	Mrs. J. J. Huber	News
Whitehall	Mrs. William M. Rogers	
Wittenberg	John Englund	Enterprise
Wis. Rapids	Jas. M. Felker	112 2nd St. South

[fol. 1848]

## EXHIBIT 2

Ex. 2

United States Daily English Language Newspapers Served by United Press as of  
September 30, 1941

	M (Morning)	E (Evening)	S (Sunday)	Date Became Subscriber
<b>ALABAMA</b>				
Anniston.....Star.....	E			1917
Anniston.....Star.....			S	1917
Birmingham.....Post.....	E			1921
Mobile.....Register.....	M			1933
Mobile.....Press.....	E			1929
Montgomery.....Advertiser.....	M			1940
Montgomery.....Advertiser.....			S	1940
Talladega.....Home.....	E			1941
Gadsden.....Tribune.....	E			1941
<b>ARIZONA</b>				
Phoenix.....Republic.....	M			1927
Phoenix.....Gazette.....	E			1930
Phoenix.....Republic.....			S	1927
Tucson.....Citizen.....	E			1936
Yuma.....Sun & Arizona Sentinel.....	E			1931
<b>ARKANSAS</b>				
Arkadelphia.....Siftings Herald.....	E			1941
Batesville.....Guard.....	E			1934
Blytheville.....Courier-News.....	E			1930
Camden.....News.....	E			1929
El Dorado.....Times.....	E			1928
Forrest City.....Times-Herald.....	E			1941
Fort Smith.....S. W. Times-Record.....	E			1940
Helena.....World.....	E			1941
Harrison.....Times.....	E			1938
Hot Springs.....New Era.....	E			1930
Jonesboro.....Tribune.....	E			1930
Little Rock.....Arkansas Democrat.....			S	1928
De Queen.....Bee Citizen.....	E			1935
Magnolia.....Banner-News.....	E			1941
Mena.....Star.....	E			1933
Newport.....Independent.....	E			1938
Paragould.....Press.....	E			1939
Pine Bluff.....Graphic.....	M			1941
Pine Bluff.....Graphic.....			S	1941
Rogers.....News.....	E			1939
Texarkana.....Gazette.....	M			1939
Wynne.....Star Progress.....	E			1936

		M (Morning)	Date
		E (Evening)	Became
		S (Sunday)	Subscriber
CALIFORNIA			
Alameda	Times-Star	E	1916
Ansheim	Bulletin	E	1932
Antioch	Ledger	E	1931
Bakersfield	Californian	E	1925
Berkeley	Gazette	E	1915
Brawley	News	Daily	1936
Burbank	Review	E	1927
Burlingame	Advance	E	1937
Chico	Record	M	1926
Chico	Record	S	1931
Coalinga	Record	E	1920
Colusa	Sun-Herald	E	1929
Corning	Observer	E	1919
Corona	Independent	E	1935
El Centro	Post	M	1939
El Centro	Imperial Val Press	E	1922
El Centro	Post-Press	S	1939
Escondido	Times-Advocate	E	1935
Eureka	Standard	E	1917
Fresno	Bee	E	1922
Fresno	Bee	S	1933
Fullerton	News-Tribune	E	1926
Gilroy	Dispatch	E	1926
Hanford	Journal	M	1934
Hanford	Sentinel	E	1937
Hanford	Journal	S	1934
Hayward	Review	E	1926
Hollister	Free Lance	E	1927
Hollywood	Citizen News	E	1921
Huntington Park	Signal	E	1925
Inglewood	News	E	1923
Lodi	News Sentinel	M	1933
Long Beach	Sun	M	1923
Long Beach	Press Telegram	E	1910
Long Beach	Press Telegram	S	1921
Los Angeles	Herald & Express	E	1927
Los Angeles	Daily News	Daily	1923
Los Angeles	Times	M	1933
Los Angeles	Times	S	1934
Los Angeles	Journal	M	1930
Madera	Tribune & Mercury	E	1910
Martinez	Contra Costa Gazette	E	1920
Merced	Sun-Star	E	1925
Modesto	Bee	E	1911
Monterey	Peninsula Herald	E	1930
Napa	Register	E	1911
Oakland	Post-Enquirer	E	1941
Oceanside	Blade-Tribune	E	1929
Oakland	Tribune	E	1916
Oakland	Tribune	S	1913
Ontario	Report	E	1910
Orange	News	E	1913
Oroville	Mercury-Register	M	1921
Oxnard	Press-Courier	E	1936
Pasadena	Post	M	1927
Pasadena	Star-News	E	1919
Pasadena	Post	S	1927
Pittsburg	Independent	M	1933
Pittsburg	Post-Dispatch	E	1940

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## EXHIBIT 2—Continued

		M (Morning)	Date
		E (Evening)	Became
		S (Sunday)	Subscriber
CALIFORNIA (Continued)			
Pomona	Progress-Bulletin	E	1921
Porterville	Recorder	E	1927
Red Bluff	News	E	1919
Redding	Record & Courier Free Press	E	1941
Redding	Searchlight	M	1937
Redding	Searchlight	S	1937
Redlands	Facts	E	1908
Richmond	Independent	E	1919
Richmond	Record-Herald	M	1928
Richmond	Record-Herald	S	1928
Riverside	Enterprise	M	1930
Riverside	Press	E	1936
Riverside	Enterprise	S	1930
Roseville	Press	E	1939
Sacramento	Bee	E	1925
Salinas	Index-Journal	E	1915
Salinas	Post	M	1934
Salinas	Post	S	1934
San Bernardino	Sun	M	1926
San Bernardino	Telegram	E	1915
San Bernardino	Sun	S	1926
San Diego	Union	M	1939
San Diego	Tribune-Sun	E	1939
San Diego	Union	S	1939
San Francisco	Commercial News	M	1940
San Francisco	Wall Street Journal	M	1933
San Jose	News	E	1916
San Francisco	Chronicle	M	1935
San Francisco	Chronicle	S	1935
San Francisco	News	E	1911
San Luis Obispo	Telegram-Tribune	E	1924
San Mateo	Times	E	1927
San Rafael	Independent	E	1927
Santa Ana	Register	E	1908
Santa Cruz	Sentinel-News	E	1929
Santa Maria	Times	E	1920
Santa Monica	Outlook	E	1923
Santa Paula	Chronicle	E	1926
Santa Rosa	Press-Democrat	M	1930
Santa Rosa	Republican	E	1911
Santa Rosa	Press-Democrat	S	1930
Stockton	Record	E	1913
Tulare	Advance-Register	E	1941
Turlock	Journal	E	1919
Vallejo	Times-Herald	M	1936
Vallejo	Chronicle	E	1911
Vallejo	Times-Herald	S	1926
Ventura	Star-Free Press	E	1925
Visalia	Times-Delta	E	1915
Watsonville	Sun	M	1940
Watsonville	Register-Pajaronian	E	1910
Watsonville	Sun	S	1940
Whittier	News	E	1919
Willows	Journal	E	1915
Wilmington	Press	E	1930
Yreka	Siskyou News	E	1930

	M (Morning)	E (Evening)	S (Sunday)	Date Became Subscriber
<b>CALIFORNIA (continued)</b>				
Yuba City-				
Marysville.....				
Appeal Democrat.....		E		1916
Fresno.....				
Morning Bee.....	M			1933
Modesto.....				
Bee.....	M			1925
Modesto.....				
Bee.....			S	1925
Placerville.....				
Republican.....		E		1924
<b>COLORADO</b>				
Alamosa.....				
Courier.....		E		1933
Canon City.....				
Record.....		E		1910
Colorado Springs.....				
Telegraph.....		E		1918
Denver.....				
Post.....		E		1928
Denver.....				
Post.....			S	1929
Denver.....				
Rocky Mountain News.....	M			1926
Denver.....				
Rocky Mountain News.....			S	1926
Durango.....				
Herald-Democrat.....		E		1912
La Junta.....				
Democrat.....		E		1919
Lamar.....				
News.....		E		1920
Loveland.....				
Reporter-Herald.....		E		1924
Montrose.....				
Press.....		E		1912
Pueblo.....				
Chieftain.....	M			1940
Pueblo.....				
Star-Journal.....		E		1913
Pueblo.....				
Star-Journal & Chief.....			S	1917
Salida.....				
Mail.....		E		1936
Trinidad.....				
Light.....	M			1939
Walsenburg.....				
World Independent.....		E		1940
<b>CONNECTICUT</b>				
Bridgeport.....				
Herald.....			S	1940
Greenwich.....				
Time.....		E		1932
Hartford.....				
Times.....		E		1924
Middletown.....				
Press.....		E		1933
Naugatuck.....				
News.....		E		1941
New Britain.....				
Herald.....		E		1927
Waterbury.....				
Democrat.....		E		1919
Winsted.....				
Citizen.....		E		1936
<b>DELAWARE</b>				
Wilmington.....				
News.....	M			1937
Wilmington.....				
Journal.....		E		1937
Wilmington.....				
Star.....			S	1918
<b>DISTRICT OF COLUMBIA</b>				
Washington.....				
News.....		E		1921
Washington.....				
Post.....	M			1931
Washington.....				
Post.....			S	1931
Washington.....				
Times Herald.....		Daily		1929
Washington.....				
Times Herald.....			S	1929

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## EXHIBIT 2—Continued

	M (Morning)	Date
	E (Evening)	Became
	S (Sunday)	Subscriber
<b>FLORIDA</b>		
Daytona Beach... Sun Record.....	E	1931
Daytona Beach... Sun Record.....	S	1931
Deland..... Sun-News.....	E	1931
Fort Lauderdale... Times.....	M	1940
Jacksonville.... Florida Times Union.....	M	1931
Jacksonville.... Florida Times Union.....	S	1931
Lake Worth.... Leader.....	E	1938
Miami..... Herald.....	M	1924
Miami..... Herald.....	S	1924
Miami..... Miami News.....	E	1934
Miami..... Miami News.....	S	1925
Ocala..... Banner.....	M	1930
Orlando..... Sentinel.....	M	1934
Orlando..... Reporter-Star.....	E	1937
St. Petersburg... Times.....	M	1939
St. Petersburg... Times.....	S	1939
Tampa..... Tribune.....	M	1934
Tampa..... Tribune.....	S	1934
<b>GEORGIA</b>		
Americus..... Times-Recorder.....	E	1929
Atlanta..... Constitution.....	M	1920
Atlanta..... Constitution.....	S	1920
Atlanta..... Journal.....	E	1922
Atlanta..... Journal.....	S	1922
Dublin..... Courier Herald.....	E	1929
Griffin..... News.....	E	1941
LaGrange..... News.....	E	1929
Marietta..... Journal.....	E	1935
Milledgeville... Times.....	E	1940
Savannah..... News.....	M	1931
Savannah..... Press.....	E	1931
Savannah..... News.....	S	1936
Waycross..... Journal Herald.....	E	1941
Waycross..... Journal Herald.....	S	1941
<b>IDAHO</b>		
Blackfoot..... Bulletin.....	E	1941
Boise..... Capital News.....	E	1911
Coeur d'Alene... Press.....	E	1925



		M (Morning)	Date
		E (Evening)	Became
		S (Sunday)	Subscriber
IDAHO (continued)			
Idaho Falls	Post Register	M	1931
Idaho Falls	Post Register	E	1931
Idaho Falls	Post Register	S	1931
Moscow	Odahonian	E	1934
Nampa	Free Press	E	1925
Twin Falls	Times	E	1920
ILLINOIS			
Beardstown	Illinoian Star	E	1915
Belleville	News Democrat	E	1927
Belevidere	Republican	E	1935
Bloomington	Pantagraph	E	1927
Casey	Reporter	E	1939
Champaign-			
Urbana	News Gasette	E	1923
Charleston	Courier	E	1929
Chicago	Journal of Commerce	M	1933
Chicago	News	E	1929
Chicago	Times	E	1932
Chicago	Times	S	1932
Clinton	Journal Public	M	1932
Danville	Commercial News	E	1938
DeKalb	Chronicle	E	1914
Duquoin	Call	E	1936
East St. Louis	Journal	E	1941
East St. Louis	Journal	S	1941
Edwardsville	Intelligencer	E	1915
Freeport	Journal Standard	E	1917
Galesburg	Register Mail	E	1912
Harrisburg	Register	E	1915
Herrin	Journal	E	1940
Hoopeston	Chronicle Herald	E	1917
Kankakee	Republican News	E	1933
Lawrenceville	Record	E	1940
Lewistown	Record	E	1921
Litchfield	News Herald	E	1915
Marion	Post	E	1935
Morris	Herald	E	1932
Mt. Carmel	Republican Register	E	1915
Murphysboro	Independent	E	1926
Paris	Beacon News	E	1921
Pekin	Times	E	1923
Peoria	Journal Transcript	M	1935
Peoria	Star	E	1912
Peoria	Star	S	1907
Pontiac	Leader	E	1912
Robinson	News	E	1923
Rockford	Star	M	1929
Rockford	Register Republic	E	1929
Rockford	Star	S	1929
Moline & Rock			
Island	Argus Dispatch	E	1935
Savannah	Times Journal	E	1923
Shelbyville	Union	E	1917
Springfield	Register	E	1936
Springfield	Register	S	1937
Watseka	Iroquois County Times	E	1937

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## EXHIBIT 2—Continued

	M (Morning)	Date
	E (Evening)	Became
	S (Sunday)	Subscriber
ILLINOIS (continued)		
Waukegan . . . . . News Sun . . . . .	E	1937
West Frankfort . . . American . . . . .	E	1932
Evanston . . . . . News Index . . . . .	E	1932
Evanston . . . . . News Index . . . . .	S	1939
INDIANA		
Alexandria . . . . . Times Tribune . . . . .	E	1934
Auburn . . . . . Star . . . . .	E	1917
Bedford . . . . . Mail . . . . .	E	1938
Bluffton . . . . . News Banner . . . . .	E	1930
Brazil . . . . . Times . . . . .	E	1938
Clinton . . . . . Clintonian . . . . .	E	1936
Columbia City . . . Commercial Mail . . . . .	E	1931
Columbia City . . . Post . . . . .	E	1931
Columbus . . . . . Republican . . . . .	E	1935
Decatur . . . . . Democrat . . . . .	E	1909
Elkhart . . . . . Truth . . . . .	E	1923
Elwood . . . . . Call Leader . . . . .	E	1931
Evansville . . . . . Press . . . . .	E	1913
Evansville . . . . . Courier Press . . . . .	S	1925
Fort Wayne . . . . . Journal Gazette . . . . .	M	1924
Fort Wayne . . . . . Journal Gazette . . . . .	S	1924
Fort Wayne . . . . . News Sentinel . . . . .	E	1915
Gary . . . . . Post Tribune . . . . .	E	1919
Goshen . . . . . News Democrat . . . . .	E	1922
Greencastle . . . . . Banner . . . . .	E	1916
Hammond . . . . . Times . . . . .	E	1926
Hammond . . . . . Times . . . . .	S	1937
Hartford City . . . News Times . . . . .	E	1941
Huntington . . . . . Herald Press . . . . .	E	1940
Huntington . . . . . Herald Press . . . . .	S	1941
Indianapolis . . . . . News . . . . .	E	1907
Indianapolis . . . . . Star . . . . .	M	1931
Indianapolis . . . . . Star . . . . .	S	1931
Indianapolis . . . . . Times . . . . .	E	1916
Kendallville . . . . . News Sun . . . . .	E	1916
Kokomo . . . . . Tribune . . . . .	E	1932
Lafayette . . . . . Journal and Courier . . . . .	E	1937
La Porte . . . . . Herald Argus . . . . .	E	1929
Lebanon . . . . . Reporter . . . . .	E	1940
Linton . . . . . Citizen . . . . .	E	1925
Logansport . . . . . Pharos Tribune . . . . .	E	1930
Marion . . . . . Leader Tribune . . . . .	M	1940
Marion . . . . . Chronicle Tribune . . . . .	S	1940
Martinsville . . . . . Reporter . . . . .	E	1916
Michigan City . . . News Dispatch . . . . .	E	1919
Monticello . . . . . Herald Journal . . . . .	E	1937
Mt. Vernon . . . . . Democrat . . . . .	E	1925
Peru . . . . . Tribune . . . . .	E	1931
Plymouth . . . . . Pilot . . . . .	E	1922
Portland . . . . . Commercial Review . . . . .	E	1935
Portland . . . . . Sun . . . . .	E	1935
Princeton . . . . . Clarion News . . . . .	E	1922
Princeton . . . . . Democrat . . . . .	E	1922

	M (Morning)	E (Evening)	S (Sunday)	Date Became Subscriber
INDIANA (continued)				
Shelbyville..... Republican.....	M			1938
South Bend..... Tribune.....	E			1933
South Bend..... Tribune.....		E	S	1933
Sullivan..... Times.....		E		1925
Terre Haute..... Star.....	M			1932
Terre Haute..... Tribune.....		E		1931
Terre Haute..... Tribune & Star.....			S	1911
Tipton..... Tribune.....		E		1932
Union City..... Times Gazette.....	M			1940
Valparaiso..... Vidette Messenger.....		E		1925
Wabash..... Plain Dealer.....		E		1931
Warsaw..... Times.....		E		1914
Winchester..... Journal Herald.....	M			1940
Winchester..... News.....	M			1940
OWA				
Ames..... Tribune.....		E		1926
Boone..... News Republican.....		E		1934
Burlington..... Hawk Eye Gazette.....		E		1933
Cedar Rapids..... Gazette.....		E		1909
Cedar Rapids..... Gazette.....			S	1922
Charles City..... Press.....		E		1914
Clinton..... Herald.....		E		1914
Davenport..... Democrat & Leader.....		E		1935
Davenport..... Sunday Democrat.....			S	1935
Davenport..... Times.....		E		1931
Des Moines..... Register.....	M			1921
Des Moines..... Tribune.....		E		1924
Des Moines..... Register.....			S	1921
Dubuque..... Telegraph Herald.....		E		1927
Fairfield..... Ledger.....		E		1935
Fort Madison..... Democrat.....		E		1928
Keokuk..... Gate City & Constitution Democrat.....		E		1940
Mason City..... Globe Gazette.....		E		1922
Oelwein..... Register.....		E		1915
Oskaloosa..... Herald.....		E		1909
Sioux City..... Tribune.....	M			1926
Waterloo..... Courier.....		E		1920
Waterloo..... Courier.....			S	1931
Shenandoah..... Sentinel.....		E		1939
Washington..... Journal.....		E		1939

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## EXHIBIT 2—Continued

	M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
<b>KANSAS</b>		
Abilene..... Chronicle.....	M	1935
Abilene..... Chronicle.....	S	1935
Fort Scott..... Herald.....	E	1939
Kansas City..... Kansan.....	E	1921
Kansas City..... Kansan.....	S	1921
Liberal..... Southwest Times.....	E	1936
Wichita..... Beacon.....	S	1930
Wichita..... Eagle.....	E	1926
<b>KENTUCKY</b>		
Ashland..... Independent.....	E	1931
Ashland..... Independent.....	S	1931
Glasgow..... News.....	E	1940
Lexington..... Herald.....	M	1936
Louisville..... Courier Journal.....	M	1928
Louisville..... Times.....	E	1929
Louisville..... Courier Journal.....	S	1933
Middlesboro..... News.....	E	1927
Paducah..... Sun Democrat.....	E	1931
<b>LOUISIANA</b>		
Baton Rouge..... State Times.....	E	1930
Houma..... Courier.....	E	1939
New Orleans..... Item.....	E	1920
New Orleans..... Times Picayune States.....	S	1918
Opelousas..... World.....	E	1939
Opelousas..... World.....	S	1939
Ruston..... Leader.....	E	1937
Shreveport..... Times.....	M	1933
Shreveport..... Times.....	S	1934
<b>MAINE</b>		
Portland..... Press Herald.....	M	1933
Portland..... Evening Express.....	E	1933
Portland..... Sunday Telegram.....	S	1933
<b>MARYLAND</b>		
Baltimore..... News Post.....	E	1941