

What Else in the Circumstances?

A dictator has to push his luck. Whether he came to power through a coup d'etat or a rigged election, he has to remember that he is where he is through a popular choice between a greater or a lesser evil. He must create the impression that he leads the people to glory and profit (regardless of the effects on lesser human breeds) and that war is more honorable than the status quo.

Not to go any farther back than Napoleon, the rule can be proved from him to the present—and the dictators are not necessarily heads of state.

David J. McDonald, for example, is not a head of state. He is president of the United Steelworkers, which is the key union in the U.S. economy. What happens to steel happens to all of us, regardless of our brand of cigarettes.

David McDonald has precipitated a steel strike because he knows he could not last as a dictator if he told his constituents they are well off as they stand. He cannot say to steelworkers, who are, on the whole, disenchanted with him, that they have honor and profit enough for the time being. If he did they might elect another president in spite of the difficulties. He is, so to speak, under compulsion to make war to rally the moderates and dissidents.

So, we have an unnecessary steel strike. The steelworkers are very well paid these days. If surveys, such as Sam Lubell, know what they are talking about, the steelworkers are fairly well satisfied with wage rates. They told Lubell they would settle for adjustments in pensions, health insurance, etc., and let the rest go now.

But McDonald could not have a quiet settlement. There had to be glory and war. And he got the war because the steel companies believe they have an unassailable position.

Until the present, the government has taken a peculiar position in steel controversies. Quite properly it views a suspension of steel production as a national concern. The result has been, on the several occasions of negotiation

since 1949, that the government has pressed the companies to yield to union demands, at least in part. The lavish contract of three years ago was a result of government weight thrown to the steelworkers' side of the balance.

But this time the government has painted itself into a corner. The administration has made much of the inflationary effect of the unbalanced budget and has enlisted the people and even the Democratic Congress in support of this primary anti-inflationary activity. As a result, the administration cannot put a face to supporting other inflationary activities. It cannot, for example, bless McDonald's attempt to raise steel wages (and thus steel prices) in the old-fashioned way. There is something involved since 1956, something very important, besides assuring union workers that a pay raise every year is normal. We have come to the point where a pay raise in a key industry means higher prices for everybody, including the striker for higher pay.

The companies negotiating with the steel union have been accused of stubbornness, and indeed they have been hard-nosed in the negotiations. But the question is: How do you stop inflation, unless all the influential factors are dealt with?

The special arguments can go on endlessly. The union apparently would like to see the regular 15-cents-a-year improvement continue, regardless of the inflationary effect. The companies would refuse any increase and reduce employment by agreement because certain automatic processes require less manpower.

The propagandists of both sides have blazoned the arguments in advertisements and interviews. Profits have been spoken of as if they were an antidivine convention and regular wage increases as if they were as remorselessly destructive as the slow grinding of glaciers.

It would do us all much good if we knew what went on in the sacred meetings of the negotiators. There was nobody there for the public.

The Parking Lot 'Fringe Benefit'

Los Angeles taxpayers can now breathe a sigh of relief.

They had been told that the city was in financial trouble, that higher taxes would be necessary to balance a record budget.

This week, however, they learned that the municipal government is so well off that it can afford to allow publicly owned land to be used for profit by a private organization—the All City Employees Assn.

Moreover, that the ACEA has been able to use the profits from operating city-owned parking lots any way it wishes, including the spending of \$30,000 this year in support of a ballot measure to increase municipal pensions.

For the employees' group the arrangement represents a remarkable "fringe benefit," but to City Administrative Officer Samuel Leask Jr. it "closely resembles a gift of public funds."

The "gift" has not been a modest one, as Mr. Leask points out. Although the lots were turned over to the ACEA to provide parking for city employees at nominal cost, the fees were increased after the first two years of the plan and the average annual net profit in 1957 and 1958 amounted to more than \$24,000. In the five years, 1953-58, the net profits totaled \$65,924.

Mr. Leask also finds fault with the variety of bureaucratic slips that supported this unique situation.

"If proper procedures had been used," he informed the City Council, "adequate parking facilities would have been maintained for employees at a

nominal rate and there would have been some return to the city in the form of revenue from the use of this valuable property."

He concludes his comprehensive report with the recommendation that the Council terminate the parking lot agreements with the ACEA as soon as possible and make arrangements for bidding by private operators or for city operation.

The recommendation comes several years too late.

Last May Councilman Ransom Callicott focused public attention on this strange governmental generosity. He charged the diversion of parking fees from city property into a political slush fund was a "shocking betrayal of city employees and taxpayers."

ACEA President John Horan replied that his group was a private organization which had participated in ballot measures since 1937 and would continue to do so. The funds, he said, come from such things as membership dues and the sale of vitamin tablets as well as parking fees.

The next day Dist. Atty. McKesson, in effect, agreed that a private group could spend its money as it sees fit.

Whether the association was legally right is something for the city attorney's office and the district attorney to quibble over.

Whether the use made of the parking profits was morally correct is much clearer.

The Leask report leaves little doubt that both the city employee patrons of the ACEA lots and the city taxpayers were shortchanged at a time when neither could afford it.

Time Sometimes Outpaces Time

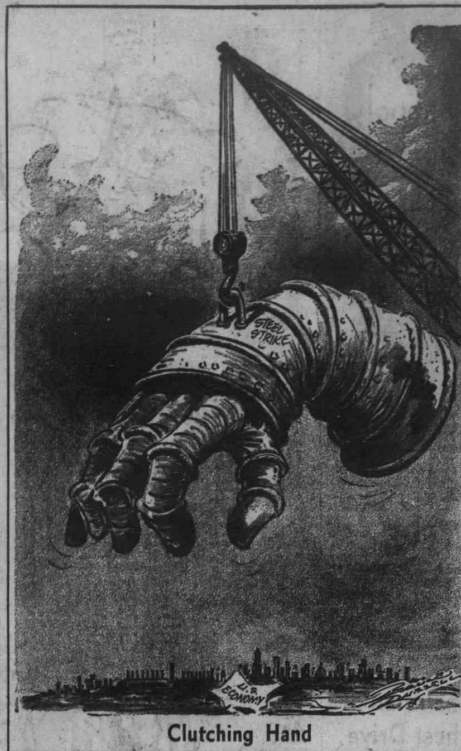
Time, a weekly news magazine, often snipes at its more experienced companions in the news business, the newspapers. It likes to look down its eastern nose and comment in such a way as to make it seem that only Time knows the secret of covering and presenting news.

For example, an item in the science section told about the test of a nuclear rocket engine prototype, Kiwi-A, at

Jackass Flat, Nev. Time said it was "an event most newspapers ignored." The suggestion was that in the jumble of voices, the reader should tune himself to the one true call.

It happens that The Times had a staff member at Jackass Flat. We carried the story on Page 1 on June 21.

Time carried it under the date of July 13.



Clutching Hand

LETTERS TO THE TIMES

Rodent Control

The County Health Department now wants to use good taxpayers' money to catch rattlesnakes. As a foothill resident, I am dependent upon the snakes for rodent control. The snakes go into the burrows after the rodents. I've seen few snakes, as they are nocturnal in nature and they harm no one who does not try to harm them.

Let's quit using poisons, but leave nature to help control the rodents. As it is we've killed so many coyotes, skunks, foxes, etc., that the rodent problem is now a very serious one. By leaving the snakes we spend no money and have efficient control.

W. O. WALL,
Los Angeles.

Gravitational

I almost fell out of my high chair with laughter when I read the main "editorial" of the Family Section June 25.

DEPARTMENT
EMPLOYEE,
Los Angeles.

Contradictory

Is it not a little strange that there should be so much concern over comparatively very few criminals paying the extreme penalty for their crimes, while there is so little if any concern about good, innocent people being killed in the most horrible, revolting manner and by the tens of millions by Satan's Communist gangsters?

Your religion editor recently listed a number of religious organizations which strongly fight to ban capital punishment. I understand that there is no idea these groups were so bad with the gravitational laws controlling the heavenly bodies. Would the enlightened ladies care to elucidate and tell us what it is out there that needs to be "freed" and educated in the principles of "peace"?

T. M. ELLIS,
Los Angeles.

In the Wilds of Hollywood

I am in a good position to sympathize with and thoroughly support the stand taken by Miss G. Kroes of Van Nuys, whose letter you published July 9 under the heading "The Unwanted."

I work in Hollywood and have a small apartment in a building near the approach to one of the freeways. Living under and around the apartment building are eight or 10 stray adult cats, which are wild. They do not belong to anyone, and I have an idea that since we are near a freeway they may have been tossed from cars by those who no longer want them.

In any event, when I go to my back door in the morning they are lined up waiting. When I return from work at night they are waiting for me. I haven't the heart to see them starve, so I give them plenty of milk in the morning, substantial food at night.

The situation is now complicated by the fact one of the cats has had seven kittens. One of the cats has developed some sort of ailment, which will probably spread among the pack and to any cats they encounter from good homes.

Since these church folks thus approve of the wholesale killing of good innocent people, including Christians, in the most horrible manner, why do they disapprove of the execution of a few criminals?

W. O. WALL,
Los Angeles.

A Reminder

The Johansson-Patterson championship fight in which the challenger emerged victorious again reminds me in that sports editors and boxing critics are the world's worst prognosticators. May I add that we sport fans are too ready to believe what we read.

Those supposed to know something about the "fight game" forgot to take into account that Floyd Patterson won his heavyweight title at a time when there were no real heavyweight boxers around.

He was inactive for a long time, hence no one could judge whether he was anything other than a good fast lightweight. Also, few sports writers and fans took into consideration the fact that Patterson was not allowed to fight anyone other than "unknowns" and an amateur during his reign as champion.

ALFONSO MIRABAL,
Los Angeles.

Lost Friend

To the man who killed my dog:
I know you must remember that morning you came speeding up Woodward Blvd. in your sports car and while you were in the process of passing another car you hit and instantly killed our dog. You didn't even stop.

I know you have a conscience, a dormant, maybe—but what may have seemed to you "just an animal," to us was a lot of pleasure and a true friend.

My children are heartbroken and not only have lost their wonderful playmate but worse than that they've lost faith in human kindness. How do you comfort a 10-year-old girl? What does one tell a little 3½-year-old boy who has learned the meaning of death and keeps asking, "Where is my dog; why doesn't she come back?"

We raised her from a tiny puppy, and we will never find a dog more gentle, loving and loving.

I was very angry with you at first, but now that I've calmed down I realize that sometimes things like that do happen. The reason why I am writing to you is only to tell you what worries me is that this could have been one of my children; they so many times innocently stop off a curb. Would you, have stopped then?

We miss our dog terribly. If you never had one, I hope that someday you will have a lot of rewarding pleasure in store.

MRS. I. R. STERN,
Sherman Oaks.

WINNER PENALIZED

State Law Specific in Outlawing Duels

BY TOM CAMERON

Is the hand, when used in the judo chop, as demonstrated in television "wrestling," a deadly weapon?

If so, the recently proposed duel by judo between a local lawyer and a television actor—a contest which didn't come off because the field of honor turned out to be 12 miles long—could have been termed a violation of California's long-standing prohibition of combat by duel.

It's been more than 30 years since there was a duel in California, so far as the court records go. Challenges to duels and the acceptance thereof were once fairly common—even if the weapons chosen would have chilled the gizzards of the German and French aristocrats who practiced the code duello on the Continent centuries ago.

For instance, some of the Argonauts fought it out with shovels, or sometimes picks, and there are tales of loggers competing to wield their favorite tools—double-bitted axes—upon one another.

California's best-known duel was fought just a century ago between two of the most prominent men ever to meet on the field of honor. They were Chief Justice David S. Terry of the State Supreme Court and U.S. Sen. David C. Broderick.

Terry had made a proslavery speech (this was just before the Civil War) which angered Broderick, who was a product of Tammany Hall and a man of intemperate mood. Broderick denounced Terry, who refused to retreat from his position on the question. Broderick declined to retract his violent attack, and was challenged to a duel.

They met beside Lake Merced. Broderick fired his pistol into the ground—accidentally, it was believed, as the weapon had a light trigger-pull. Terry shot Broderick in the breast, causing his death three days later.

Although this was a clear violation of the law, a Marin County jury acquitted Terry—a common result of such affairs, even when one of the principals died. Terry was shot to death three decades later, not in a duel, but as the result of another feud.

One Antonio Morales fired differently when he shot it out with a fellow workman in 1928 at Lincoln, Placer County. In the last duel to reach the California courts.

Morales and Zacharias Martinez exchanged "some bad words" on the job, and agreed to meet at a little red house three miles away at a certain hour. Both began firing at

sight of each other, and Martinez was killed by a bullet in the head. Morales was shot in the chest but recovered to stand trial and be sentenced to the punishment for dueling—one to seven years in prison.

Morales appealed from his conviction, one argument being that the complaint, while charging dueling with deadly weapons, had not included the statutory clause, "between two or more persons."

The Appellate Court sustained the conviction, commenting that the missing clause in the complaint didn't count, as it was obviously "impossible for one person to fight a duel all by himself."

Section 225 of the Penal Code defines dueling as "any combat with deadly weapons, fought between two or more persons, by previous agreement or upon a previous quarrel."

Subsequent sections call for imprisonment if one duelist is killed or dies of wounds within a year and a day, or for a year in jail if death does not ensue. This applies to anyone who fights a duel, issues or accepts a challenge to a duel, or even acts as a second.

Even caustic comment on an enemy's courage in the face of a challenge is a misdemeanor. Section 229 reads:

"Every person who posts or publishes another for not fighting a duel, or for not sending or accepting a challenge to a duel, or who uses any reproachful or contemptuous language, verbal, written or printed, to or concerning another for not sending or accepting a challenge to fight a duel, or with intent to provoke a duel, is guilty of a misdemeanor."

The lawmakers went even further in their efforts to stamp out the age-old custom of dueling. The plea of self-defense to those challenged, and decreed that anyone who kills or permanently disables another in a duel is liable for and must pay all debts of the one slain or disabled. He is also liable for the support of a widow or wife and minor children... "as may be determined by the court."

Mindful of the occasional gang fights which take place here, some members of the district attorney's staff have been studying the anti-dueling section to see if the "two or more persons" factor, together with the "by previous agreement, or upon a previous quarrel," might be applied to some of these gang battles as the result of challenges, and they certainly involve "two or more persons."

IN OTHER TIMES

From the Files of The Times

50 YEARS AGO

July 16, 1909

A hit-run auto, said by witnesses to be driven at terrific speed and on the wrong side of the street, struck and killed Mrs. Dora Feller, 69, at 8th and San Pedro Sts.

Wages of farm workers were blamed by Agriculture Secretary Wilson for the high cost of foodstuffs. He urged importation of cheaper labor from Europe.

35 YEARS AGO

July 16, 1924

The U.S. Army "round-the-world" fliers were honored at a gala round of receptions in Paris and were scheduled to leave for London on the next leg of their flight.

Assessed valuation of property in California in 1923 was \$5,716,785,513, according to State Controller Ray L. Riley. Of this total, \$4,682,304,085 was subject to taxation.

15 YEARS AGO

July 16, 1944

Actress Jeannette MacDonald was ambushed and assaulted by a bellhop who hid in the bedroom closet of her hotel cottage in Santa Barbara, but she managed to flee him off

after receiving a black eye. The youth, 14, admitted the attack.

For the 11th day in a row, U.S. air and naval forces battered the Japanese stronghold on Guam.

THE TIMES-MIRROR COMPANY

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