Thy flinland Trpurter-Trlegram

## MIDLAND, TEXAS, WEDNESDAY, DECEMBER 9, 1942

# Bombers Attack Turin 

Bombers Destroy Jap Ship


## WAR BULLETINS

LONDON.-(AP)-Heavy artillery and steadily growing fleets of planes were reported nesday as the Allies, secured by the repulse of nating the battlefield, apparently prepared for a big new drive on Bizerte and Tunis.
 circles said Wednesday "Exerman Terror" in Bohemia
and Moravia had killed 53 more Czechs. Executions

MOSCOW.-(AP)-Germany's armies, trythey laid down 106 days ago, are pressing mail planes and training ships into service in an attempt to bolster their threatened forces with re-
inforcements, the Soviet Army newspaper Red Star asserted Wednesday
 liner Ceramic which, it said, was carrying troops to such sin
sources.)

CHUNGKING.-(AP)-Large scale arrests of Americans in Japanese-occupied North China following the seizure of hundreds of Allied Nahai confirms that the Japanese have adopted a severe policy toward Anglo-Saxons in occupied territory, trustworthy private reports reaching West China indicated Wednesday.

LONDON.-(AP)-Fighting French headquo ters asserted Wednesday that the Germans had taken
100 hostages from the population of Lyon in reprisal an attack on a German soldier there on Dec. I and



Roosevelt Order Is Clarified By Communication North African!Drive

Associated Press War Editor

Britain's huge rour-motored bombers delivereá anroyal arsenal city of Turin before dawn Wednesday, while across the Mediterranean the rising might of Allied air
squadrons challenged the Axis for control of the skies over North Africa.
A broadcast from American-occupied Morocco said
Allied heavy artillery-previously pictured as mounted Allied heavy arights-was pounding Axis forces in the Tebourba sector in. Tunisia and Allied planes again raided Tunis and Bizerte.
Every day, the broad $\qquad$ Italy's high command acknowledged that the RAF
"carried out a violent raid Tuesday night over Turin, causing very heavy damage especially in the central
area." Its communique indicated that casualties had been

Sulfa Drugs Save Lives Of Wounded Soldiers At Fronit



Midland Students See "Fantasia"
 Craft Group Meets With Mrs. Walston


## Coming Events

 THURDADMidand County Museum will Red Cross workroom in the
Heidelberg In will be open fro
9 until 12 o'clock. Red Cross Surgical Dressing
vom on the third floor of th courthouse will be open from ${ }^{9}$
until 12 oclock and from 1 until 4
occlock.
Miss Iva Butler's Canteen Class
will meet from $7: 30$ to $9: 30$ p. m. in the assembly room of the court-
house.
The Stitch and Chatter Club will
meet at $2: 30 \mathrm{p}$. m. with Mrs. Bessie Boyett, 305 North Fort Worth.
The Needlecrart club will me
at $2: 30$ p. . with
Wrs. Addiso
Wadies, 1801 West Holloway. The Dos Reales Club will meet,
at 2 p. m. with Mrs. Steven Leach, Mrs. J. S. Ellis and Mrs. Stanley
Erskine will be hostesses. at the
Soldiers Service Club.

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& \text { FRIDAY } \\
& \text { The Belinont Bible Class wi } \\
& \text { meet at } 4 \text { p. m. at the First Bip }
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& 4 \text { o'clock. } \\
& \text { The regurar lacies luncheon wi:l } \\
& \text { be held at the Country Club at } 1 \\
& \text { o'clock for members. }
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## ROBES \& HOUSECOATS <br> $4^{98}$



PENNEVS
Midland, Texas


# MONTCOMERY WARDS <br> SECOND STATEMENT 

## TO NATIONAL WAR LABOR BOARD

The Following Statement Was Submitted To The National War Labor Board At Its Meeting In Washington On December 8, 1942

The War Labor Board on November 5, 1942 issued an order that Wards "incorporate" in a contract with a C.I.O. union at Chicago:

A clause establishing a form of the closed shop, called "maintenance of membership," together with a checkoff of union dues from wages.

A clause providing for compulsory arbitration on any questions the union wishes to raise.

A clause guaranteeing in these uncertain times present wage and working conditions for a year.

Wards rejected this order of the board for these reasons:

The board was without authority. Congress, the only law-making authority under the constitution, has not empowered the board to order any employer to do any of the things which the board demanded of Wards.

The order violated the fundamental principles of liberty. Liberty requires that an employee be free to join or to resign from a union without jeopardizing his livelihood. Liberty requires that an employer be free to employ the person best suited for the work.

The order was in itself illegal. The order required Wards, first, to interfere with the free choice of its employees to resign from the union; second, to give support to the union by a check-off of union dues; and third, to discriminate against employees if they resigned their membership in the union, all in direct violation of the National Labor Relations Act.

Wards operates in a highly competitive field composed of one million seven hundred fifty thousand retail establishments. It is unfair to impose burdens upon Wards and not upon those with whom it is in competition.

The imposition of the closed shop against Wards cannot be justified by reference to the so-called no strike agreement. Wards was not a party to this agreement. Wards had no voice in the selection of those who, as representatives of industry, attended the conference in December, 1941, which formulated this agreement. Wards has never ratified the results of that conference.

Furthermore, the conference itself did not agree that the War Labor Board might impose the closed shop principle. Those acting as representatives of industry expressly recommended to the president that this issue not be considered by the board. The board, in ordering a form of closed shop at Wards, has acted contrary to these expressed recommendations of the industry representatives.

If Wards had had the right to test the legality of the board's demands in a court, Wards would have done so, but Wards was deprived of a remedy in the courts by the board's complete lack of legal authority to compel obedience of its order. The court will only act when legal rights have been violated. The courts have declared that the mere making of demands which do not have to be obeyed does not, in the eyes of the law, violate any legal right. The board's very lack of authority thus resulted in a denial to Wards, as it has to other employers, of a right to relief in the courts.

The president of the United States as well as the board is wholly without constitutional authority to order any employer to do the things demanded of Wards. Nevertheless, in deep respect for the president and his great responsibility in time of war, Wards said, in rejecting the board's order:
"If Congress imposes closed shops, compulsory arbitration contracts for a year's duration on employers, or if the president of the United States, as commander-in-chief in time of war directs that Wards accept the board's ruling, which we earnestly believe are illegal and uneconomic, we will respectfully obey."

The president on November 18 wrote the company, saying:
"As commander-in-chief in time of war, I direct Montgomery Ward and Company to comply, without further delay, with the National War Labor Board's directive order of November 5, 1942."

Wards immediately answered:
"Your order of November 18th has been received and will be promptly obeyed."

Wards thereupon altered the general form of its contracts with unions and incorporated, word for word, the clauses ordered by the War Labor Board. This document was offered to the union. The company has fully complied with the president's direction and will continue to do so.

The document which the president has directed Wards to sign is not a contract. The requisite of a contract is that there be a meeting of the minds or agreement between the parties. There has been no agreement between Wards and the union. The document which the president has ordered Wards to sign affects the rights and liberties of Wards and of its employees. Therefore, in order that the document itself may be clear and state the facts, Wards informatively included these three sentences:
"The following provisions are not voluntarily agreed to by the company. In the company's opinion they are illegal and unsound. These provisions are copied verbatim from the War Labor Board's order of November 5, 1942, and are incorporated herein, on the company's part, under duress and only because the president of the United States as commander-in-chief in time of war has expressly ordered that they be included."

These three sentences are in all respects true. They do not alter the effect of the provisions ordered by the board-provisions which Wards will carry out. Nevertheless, the union has refused to sign the offered documents.

Wards will be happy to accept any improvement in the wording of this statement, but Wards will resist any attempt to hide the truth by a change in its substance.

## On January 9, 1941, the president said:

"In the future days which we seek to make secure, we look forward to a world founded upon four essential human freedoms. The first is freedom of speech and ex-pression-everywhere in the world."

Wards feels that if is bound by the rules of good citizenship to make sure that the simple truth about these provisions and Wards' acceptgnce of them be not hidden from or misrepresented to its hundred thousand employees, its sixty thousand shareholders, and its many millions of customers. The elimination of this sttaement would serve no purpose but to conceal the truth from readers of the document.

Wards has cheerfully met with the union and with this board whenever requested. Wards has promptly obeyed the direction of the president. Wards insists that its right to tell the truth not be destroyed.

MONTGOMERY WARD AND COMPANY


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