Items Upon the Library

[illegible] the quarterly report on books added to the [illegible] Library.

[illegible] Biographies, there is Gallions of [illegible] by Fr. David McAuley, S. J., which does just that most interestingly; Archbishop Gerlier's An Introduction to the Study of Manichaeism and Mandaean Theology, which we [illegible] as a technical [illegible] book, but gives an inviting moment of the adventure of spiritual development, such as it can be when a person really "puts [illegible]" and gives God a chance.

Books of history and current problems include Spain, the Church and the Orders, by J. Albion Peers, which helps to keep the record straight against partisan propaganda; After Hitler, Another? by Robert Ingrim, offering sane observations on the not-so-merry-go-round of 20th century history; Three Worlds, by Nicholas Timasheff, an analysis of the three-cornered struggle between democracy, communism and fascism; [illegible] by Fr. William J. Smith, S.J., a helpful [illegible] of our [illegible] and religious.

There is much wit and humor, as well as a good dose of truth, in Fr. Urban Nagle's Wise Guys and Dumb Mistakes; it is very easy to take, and the after-thoughts will help you remember some of the serious points.

John Gilland Brunini's Whatever Is Good is interesting [illegible] Chesterton's Point of Our Religion. It is well to point out [illegible] the Church to non-Catholics simply and noncontroversially. It is very thought and would make a good refresher course even for the seasoned Catholic.

We hope you'll find something among this varied list that suits your desire for good reading. If perhaps quite fully the best book published in the last few months for the general class of readers. You are invited to come and browse in the Library. It is off the lobby of the Columbus Civic Center at 50 Chestnut St., and is open every day except Saturday and Sunday (and holidays) from 4 to 6 p. m. and from 7 to 9 p. m.

We have arrived at our [illegible] at the Library. [illegible] to expire for some kind of [illegible], but we'll take it [illegible]. That's as far as we have gone from the 500 with which we started back in 1943. The [illegible] has been accomplished [illegible] through the penny rentals from our patrons. Please help us keep it up. Your interest and patronage is all we need, both for encouragement and support. A staff of devoted volunteers is prepared to meet you. There are no [illegible] fees in service, as might be expected. If you have any complaints, suggestions or recommendations, you are urged to write to me, care of St. Bernard's Seminary, Rochester 12.

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CARDINAL HAILS CATHOLIC PRESS

London — (NC) — His Eminence Bernard Cardinal Griffin, Archbishop of Westminster, lauded the Catholic press for its outspoken defense of truth and justice, exemplified in its present attitude towards international issues.

Speaking at a meeting here of the Guild of St. Francis de Sales, British national group of Catholic writers, the Cardinal also deplored a decline in morals in Britain and criticized those people who are "anxious to do as little as possible for as much money as they can get."

"I want to say how very grateful we are to the Catholic Press for the way in which, in season and out of season, it places before the public, in their right perspective, our own problems at home and the very complicated international situation," the Cardinal said. "Few sections of the press have been prepared to offend popular opinion and to assert the principles of truth and justice.

"On the international front the Catholic Press has unceasingly supported the cause of Poland. Whilst a large section of the secular press has been silent on the persecution of the Church in many parts of Eastern Europe, and on the unjust condemnation of Archbishop [Aloysius] Stepinac, (of Zagreb), the Catholic Press has not hesitated to put before the public the facts of the situation."

'Candy Bank' Pays 12 Pct.

Chicago — (NC) — The First Bank of St. Mary's, pays 12 per cent interest on savings accounts, has no liabilities, is open every day in the week including Sunday, and if your money runs out the bank president will give you some. Hold on, though, they won't take your money. The First Bank of St. Mary's is exclusively for the 300 motherless or dependent children of St. Mary's Training School of nearby Des Plaines. Going into its eighth year, it is solidly in the black for the very good reason that the profits from the affiliated candy store next door pay the banking deficits.

The total of deposits in the First Bank has now soared to more than $300. Most depositors have a balance of 50 cents or less, and the deposits swell on visiting Sundays, with a steady decline from then till the next visiting Sunday. The biggest account the bank ever handled belonged to a boy who was graduated with more than $40 in his pockets.

Book Selections

Milwaukee — (NC) — "The Quest of Fen Herlet" by the Rev. C. M. de Heredia, S.J., has been announced as the February selection of The Catholic Literary Foundation here. The book, subtitled "Memoirs of a Reporter in the Time of Christ," tries to bring Jesus and His times to the modern reader.

New York — (NC) — A story of the Warsaw uprising in 1944, "Silent is the Vistula," by Irena Orska, has been named as its current book selection by the Catholic Book Club here.

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Portal-to-Portal Pay Is It Justified?

By REV. RAYMOND S. CLANCY
(Chaplain, Association of Catholic Trade Unionists)

In all the excitement—you might even call it hysteria—about the avalanche of portal-to-portal pay suits certain facts should be remembered.

The first is that the questions involved are matters for the courts to decide on the merits of each individual case. Even in its history-making ruling in the Mt. Clemens Pottery case the U. S. Supreme Court referred back to the local Federal District Court the decision as to how much the individual workers were to receive in back pay. Moreover, it explicitly stated that an employer should not be required to pay when the time spent in nonproductive activities was negligible. Hence it will develop upon a federal court to determine from the circumstances in each individual case the extent of an employer's liability for overtime payments.

The second is that union leaders are merely fulfilling their obligations to their constituents in filing suits for portal-to-portal payments of back wages that may be due in cases where there appears justification for the claim.

Up to Courts

They are not to be condemned for asking the courts to decide whether or not the workers whom they represent are in justice entitled to further compensation for time which an employer required them to spend on his premises.

They would be negligent in the discharge of their duty were they to fail to press the legitimate claims of their members, since, in the final analysis, it will remain for the courts to decide the validity or invalidity of the individual claims.

Unfortunately, however, I fear that a great many people are going to be disappointed and I should seriously caution workers not to build their hopes too high. Even the Toledo attorney, Edward Lamb, who successfully pushed the union's claim in the Mt. Clemens Pottery case, has advised against "fabulous and reckless" damage claims for travel-time pay.

Time Limit Extent

One does not have to gaze into a crystal ball to conclude that not all of the claims that have been made will be allowed by the courts or that few workers will be awarded as much as they are hoping to get.

It is almost a certainty that a time limit will be set, either by Congress or by the courts themselves, to the extent to which an employer's liability will be considered retroactive. The most generally accepted guess is that claims for unpaid overtime will not be allowed to go back for more than one or, at the most, two years.

The accusation has been made that union leaders are employing portal-to-portal pay suits as bargaining weapons to force wage concession from employers. Compromises concerning travel-time claims, it is charged, are being offered in exchange for pay increases.

From the discussions I have heard on this point it is obvious that there is a great deal of misunderstanding about the extent to which a union may go in effecting such a compromise. Yet the law is very explicit, the Supreme Court having ruled that neither a union nor a worker may bargain away the latter's right to overtime pay to which he is legally entitled under the Fair Labor Standards Act.

Amendment Expected

Although Congress is expected to amend the law, the ruling as it now stands would void any private agreement by which a worker's legal right to overtime pay would be traded off or waived.

Should any union attempt to do this, individual workers could still file claims against the employer. The only compromise allowed under the present law is an agreement as to the extent of a claim, or, a settlement as to how much back overtime pay is owed.

At the present writing the sums involved in portal-to-portal pay claims, already filed throughout the nation, total more than three-and-one-half billion dollars. This bring up some very important questions as to moral issues involved.

Are these suits justifiable? May they be filed when the intention is to use them as instruments for gaining collective bargaining concessions?

No general answer can be given to the first question, except to say that the morality of the suits depends upon the merits of each individual case. If there is a real basis for the claim, then, certainly, the union is justified in making it. After all, the courts will decide the issue.

Real Issues

On the other hand I can find no moral justification for any claim that would be filed merely for its nuisance value. I am unalterably opposed to the injection of further bitterness into this already-too-acrimonious business of industrial relations.

Any attempt by either party, whether it be management or labor, to provoke or needlessly to embarrass the other party is harmful. It serves only to becloud real issues and to delay peaceful and mutually equitable settlements of differences.

In this connection it may be necessary for unions to temper justice with equity, even in the case of just claims. I have in mind possible instances where a legitimate claim, if made completely retroactive to 1938, when the Fair Labor Standards Act became operative, would be ruinous to an employer.

Second Question

This leads to the second question — the matter of employing back pay or travel-time claims as a device to reopen wage negotiations or as trading material in collective bargaining. Considering the qualification I mentioned above in regard to nuisance suits and presuming that there is merit to the claim that is made, I can see no objection to the practice on moral grounds.

To begin with, the procedure is far preferable to a strike. It is better for the employer, the workers and the general public. If strikes are justifiable under certain conditions, then this milder form of action by a union is even more justifiable when legitimately employed.

In the final analysis it must be remembered that the employer does not have to agree to a compromise on back wage or travel-time demands, nor will he be likely to do so, unless he is convinced that the courts will sustain the claims made upon him.

For the use of this device to be immoral, the union would have to place an unjust action from which the employer would have no alternative escape. Such is not the case here, since the employer always has the right and privilege of leaving to the impartial decision of a federal judge the settlement of the issues involved.

I, for one, would much sooner see these and other questions settled calmly, peaceably and equitably by the parties concerned rather than by the courts or any other branch of government.

A LOOK AT LABOR

By A. C. Tesky

Industry-wide collective bargaining is a natural process. Just as business men tend to expand their enterprises until they are co-extensive with the national market, so unions tend to grow until they are co-extensive with corporations. Not even law can stop this natural process, no more than it can stop the growth of an oak tree.

It is not desirable, furthermore, to prevent collective bargaining to reach its natural end. This end would be realized when all employers and all workers are completely organized. In such a situation, power would be equally apportioned. Mere bigness and power are not the causes of industrial strife. Only amateur labor relations men believe that they are. The causes of strikes are found in the unwillingness of either or both parties to do justice to the other, and in the little and great dissatisfactions that are part and parcel of human living.

Strikes bring hardships on workers, as well as employers. Once each party was convinced that it could not bully the other, and continued equality of power would soon impress the bargainers, it is likely that time would bring unions and management, with the assistance of government, closer to the resolution of their difficulties.

Furthermore, the prohibition of industry wide collective bargaining would run into practical difficulties. In some cases, there is only one company in a particular market. Electric light and power, gas, communications such as telephone and telegraph, generally are controlled by one company. Consolidated Edison, American Telephone and Telegraph, Western Union, Anaconda Copper, and many others are supreme in their fields. By organizing just these single companies, unions organize the industry. If unions are prevented from industry-wide organization and collective bargaining, these companies will have to be broken up.

Even in the case of other industries, the mere prevention of industry-wide collective bargaining would not prevent industry wide strikes. The United Steelworkers of America do not have industry-wide contracts and yet the union can shut down the whole industry, if it wants, by simply terminating all its contracts simultaneously.

Walter Reuther, last year, was in favor of a plan which would get around a prohibition of industry wide collective bargaining. His plan was to pick off the automobile companies one by one. First, the UAW would strike against General Motors and prevent the production of Chevrolets, Pontiacs, Oldsmobiles, and Buicks. While Ford, Chrysler and De Soto were taking General Motors market, the union would be very sure that the company would come to terms. Once they had brought General Motors to their knees, the process could be repeated in turn on Ford and Chrysler.

Small business is not to be forgotten in all of this discussion. The big unions grew in the face of corporation power. They are still no match for the big corporations, but they are more powerful and wealthy than the thousands of small enterprises that dot our economy. In self-defense small business men have had to organize in to cooperative groups, production or retail associations. Only as one group have small business men been a match for the big unions. If industry wide collective bargaining is prohibited, these associations of small business men will have to be broken up, and they will be at the mercy of the large unions.

The whole question, therefore, of prohibiting industry-wide collective bargaining is not the answer to industrial peace. No one familiar with the labor field would advocate it as a solution to strikes. The one effective result of such a plan would be to handicap, weaken, if not destroy, the labor movement. And one cannot be blamed if he suspects that this is the wish of those who propose the plan.

Polish History Shows Many Free Elections

[The author of this article, a member of the staff of the Polish Weekly, New York, has been a student of Polish affairs for many years and has written a number of articles on Polish history and political life for Polish publications in this country.]

By JOHN WOLNY
(Written for N.C.W.C. News Service)

Misinformed writers have recently expressed the idea that since the Poles have never before known democracy and are not used to the procedure of free elections they should not complain that the January 19 election was not free. Such a theory cannot be supported by facts from the Polish past. It is the contrary which is true.

The Poles, when free, have nearly always been faithful to democracy which existed in Poland for a longer time than in most of the other countries of Europe.

The principle of "Neminem Captivabimus," equivalent to that of "Habeas Corpus," was introduced in the Polish constitution as early as A.D. 1430; in 1505, the Statute of Radom, known as "Nihil Novi," by limiting the powers of the king, established the principle of a parliamentary government. Both these principles, with many additions, were observed by the Poles until the partitions of Poland towards the end of 18th century and were automatically restored when she regained her independence in 1918.

Four Elections Held

The reborn Poland held four elections 1919, 1920, 1928, 1930 — on the basis of general, direct, equal, secret and proportionate suffrage, which was the Western European procedure. In all these elections electoral abuses, unknown; the nation voted freely and the Polish Diet exercised its democratic right of getting rid of governments with which it did not agree. Six cabinets had to resign, between 1921 and 1930, in consequence of votes of non-confidence of the Diet.

In all these elections the great bulk of the population voted for the parties which have not been allowed to present their candidates at the approaching election, namely, the Socialists, the Catholics and various Liberal and Nationalist groups. In 1947, the Polish electorate had only a limited choice between the Communists and non-Communists, represented by the Peasant party of Mr. Mikolajczyk; in 10 electoral districts out of 52, it had no choice at all since the peasant candidates were scratched by the Communist government.

In the past, on no single occasion had the Communist party received more than 4 per cent of the total vote in a free election, while the Peasant party, one of the four Polish parties had up to 23 per cent of such a vote. In particular, 90 per cent of the urban population voted in the past for the National Democrats, the Catholics and Socialists.

Even before the rebirth of Poland in 1918 the Polish populations voted in many general elections of the co-partitioning empires of Germany, Austria and Russia. The Prussian Poles voted 14 times since 1867 on the basis of general franchise; the Austrian Poles voted 5 times since 1896 and the Russian Poles 4 times since 1906. As a rule, these elections were free. Thus two or more generations of Poles have been used to the democratic and free procedure of general elections, and they do not conceive any other.

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