THE CRIMES OF THE “TIMES”
A Test of Newspaper Decency

By
UPTON SINCLAIR

Can a great newspaper publish lies, and refuse to correct them?
Can it accuse a man of grave offenses, and refuse to publish the facts he offers in his own behalf?
Can it publicly call for evidence, and suppress the evidence when it is furnished?
Can a great newspaper quote from a letter which it refuses to publish, and misquote the letter, and refuse any correction?
Can a professor of journalism in a great university aid in such a procedure?

Read this little story of the New York “Times” and Prof. James Melvin Lee, Director of the Department of Journalism in the New York University, and see what you think of their ideals of fair play and truth.

If ever you have read a book of mine and found help from it---if ever my work has meant anything to you---I ask you to pay me now by doing me a favor, which is to read this pamphlet, and help to circulate it, and expose the worst piece of newspaper dishonesty which I have witnessed in a long while.

UPTON SINCLAIR.
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Read it, pass it about and educate your friends
The Crimes of the "Times"

This is a story of a powerful and wealthy newspaper having enormous influence. For thirty years this newspaper has stood before the American public as the embodiment of all things respectable and august. A quarter of a million Americans buy it every day, and form their whole view of life from its columns. And never a day out of more than ten thousand days that this newspaper has not subtly and cunningly distorted the news of the world in the interest of special privilege.

Upton Sinclair wrote a book to prove this. He did not rely on his own say so, or on any other man's; he gave facts—448 pages of them, closely packed. He published this book himself, because nobody else had the nerve. He was told by Samuel Untermyer that if the book was not true there were fifty indictments for criminal libel in it, and a thousand civil suits.

The book has been before the public for a year, and more than 125,000 copies have been sold. A carload of brown wrapping paper had to be bought, because the paper trust would not sell book paper. The book has been or is being published in Great Britain, France, Germany, Belgium, Holland, Norway, Sweden, Denmark, Italy, Argentina and Japan. Yet all this time the "New York Times Review of Books," which purports to give the news of the literary world, has never mentioned the name of "The Brass Check." Not even in the advertising columns—a check for $156.80 was returned!

But everybody is reading the book, even the newspaper men, and the "Times" had to do something. A champion was selected, Prof. James Melvin Lee, who got his training in journalistic ethics on the staff of "Leslie's," the barber-shop weekly, and is now Director of Journalism in New York University. Professor Lee appeared before the Brownsville Labor Forum and delivered an address, "The Fallacies of 'The Brass Check,'" and the New York "Times," carefully provided in advance with clippings and quotations, published an account of the lecture in two columns, opposite the editorial page—"preferred position."

The lecture was a call for facts, a challenge to produce them. The author of "The Brass Check" had the facts; so he sent them to the New York "Times" in a letter, not so long as the "Times'" story of Professor Lee's lecture. In this pamphlet you will see what happened; and please note that we gives both sides. We do not suppress Professor Lee's
indictment, and give merely our own defense. We did not learn our ethics in a great state university!

We are used to the New York "Times"—we know it for what it is, an organ of special privilege. But we object to men holding a position of public trust, in a public institution, and pretending to serve the public welfare, but in reality serving organized greed. Therefore we intend to smoke out this professor. We are printing this record of his silence in the face of a piece of dastardly foul play; we are sending a copy of it by mail to every student in the university where he teaches. And we intend to do this, year after year, so long as he lives. Never again will he talk about fair play on the part of capitalist newspapers to a class of guileless boys and girls who think he really means it!

(From the New York "Times," February 28, 1921.)

DR. LEE ATTACKS "THE BRASS CHECK"

UPTON SINCLAIR ACCUSED OF FALSIFYING ABOUT THE CONDUCT OF NEWSPAPERS

CALLS FOR A SINGLE PROOF

RADICALS IN AUDIENCE UNABLE TO GIVE ONE INSTANCE OF ADVERTISERS' CONTROL OF PRESS

Dr. James Melvin Lee, Director of the Department of Journalism of New York University, spoke yesterday on "The Fallacies of the Brass Check" at the public forum in the Brownsville Labor Lyceum.

He denied a number of the specific charges in Upton Sinclair's book, "The Brass Check," which purports to be an exposure of the American press. Dr. Lee said that he was seeking to go over "The Brass Check" statement by statement, in order to verify or disprove Sinclair's assertions. He discussed several cases in which he had obtained evidence against the truth of the novelist's statements and other cases in which he considered that the statements bore evidence of falsity on their face. He complained that a great number of the writer's accusations did not furnish names, dates or other facts by which they could be tested.

Dr. Lee also took up a charge made by George Creel that American newspapers were under the control of department stores in every city in the United States large enough to have a department store. After an elaborate discussion of this theory he challenged his audience and the public generally to produce evidence of a single case in which a New York newspaper had suppressed an item of news at the behest of an advertiser. He said that he had endeavored to run down various charges of this nature, but that on investigation they had invariably proved to be false.
Dr. Lee began by asserting that Sinclair was not entitled to belief for any of his unsupported assertions, because he had already fooled the public once in his famous hoax, "The Journal of Arthur Sterling." Dr. Lee quoted the following from an article entitled "My Cause," written by Sinclair in The Independent of May 14, 1903:

"I knew that the hoax would cost me my reputation and the respect of all decent people, but that did not matter, for I have not been favored with the acquaintance of many decent people and am not obliged to hear what the world thinks of me. Besides I would have cheerfully robbed a bank or sandbagged a millionaire, had my task been possible in no other way. My only desire was to raise a sensation, first to sell my book, of course, and second, to give me a standing ground from which to begin the agitation of my cause."

After reading this Dr. Lee continued:

"Now there you have a self-confession on the part of the author that he has deceived you. He seems to take a certain amount of pride in that fact. Now I submit, purely as a matter of logic, that a man who has deceived you must come forward with very positive proofs if he wishes further statements of his to be accepted."

One of the statements regarding The New York Times which Dr. Lee proceeded to discuss occurs on page 77 of "The Brass Check," where the author asserts that preparations had been made to print "a three or four column story" about his novel, "The Metropolis," on the front page of The Times, but that it was discovered and "killed" at 1 o'clock in the morning by the publisher. "The Metropolis" purported to be an exposure of high society. Dr. Lee quoted the following from "The Brass Check":

"It was not so bad for Upton Sinclair to attack a great industry in Chicago, but when it came to the sacred divinities of New York, that was another matter. The story was 'killed'; and, incidentally, Upton Sinclair was forbidden ever again to be featured by The New York Times. The law laid down that night was enforced for twelve years."

"Now I would like to ask you," said Dr. Lee, "if you have ever seen a quotation from a novel made a front page article for a New York paper. I leave it to you whether any New York paper would print a piece of fiction on the front page. The nearest thing I ever saw to it was a book review on the front page of The Evening Post, and that was a book which was attracting a great deal of news interest."

**STORY OF PACKERS' EXPOSURE**

Dr. Lee read from the chapter in which Mr. Sinclair tells of obtaining the views of the commissioners named by Presi-
dent Roosevelt to investigate the packing industry after the exposure in "The Jungle." He said that the commissioners gave him the substance of their report with a tacit understanding that he would publish it. He says that he offered it in vain to the Associated Press. Mr. Lee then read Sinclair's account of his visit to **The New York Times**:

"I arrived about 10 o'clock at night, having wasted the day waiting upon The Associated Press. I was received by the Managing Editor of *The Times*—and never before or since have I met such a welcome in a newspaper office. I told them that I had the entire substance of the confidential report of Roosevelt's investigating committee, and they gave me a private room and two expert stenographers, and I talked for a few minutes to one stenographer and then for a few minutes to the other stenographer, and so the story was dashed off in about an hour.

"Knowing *The Times* as I have come to know it, I have often wondered if they would have published the story if they had had twenty-four hours to think and to be interviewed by representatives of the packers. But they didn't have twenty-four hours; they only had two hours. They were caught in a whirlwind of excitement, and at 1 o'clock in the morning my story was on the press, occupying a part of the front page and practically all of the second page.

"The question had been raised as to how the story could be authenticated. *The Times* met the problem by putting the story under a Washington 'date line'—that is, they told their readers that one of their clever correspondents in the capital had achieved the 'scoop.' Being new to the newspaper game, I was surprised at this, but I have since observed that it is a regular trick of newspapers."

**SINCLAIR'S CRITICISM ANSWERED**

Dr. Lee said that he had investigated this matter and had looked up the files of *The New York Times*.

"I hold no brief for *The New York Times*," he said. "If *The Times* did take a story which originated here in New York and put a Washington date line on it, it is open to very severe criticism. It is not good newspaper ethics. There is no question about it. But let us investigate Sinclair's own statement. He had been in Washington, had obtained the information there and came to New York by train. Now, does it make any difference whether this matter came by wire, as most of it does, or by mail, as some of it does, or by a man getting on a train and coming to New York? It is a perfectly legitimate Washington story, even though it be written here in New York."

Branching off to George Creel's charge that newspapers are universally dominated by department stores, Dr. Lee said
that he had written to the leading newspaper publishers of the country asking them if they could furnish proofs of their independence and that he had received a stack of letters three feet high, containing evidence in disproof of the charge.

"The charge that certain Philadelphia newspapers have suppressed news in order not to offend certain department stores is true," he said. "There is no doubt about that, and these newspapers will suffer for decades to come from the loss of prestige involved in sacrificing themselves to advertisers."

Such suppression, he said, had not only been cowardice and bad ethics, but bad policy both for the newspapers and the department stores. He said that the stories, because of their suppression from print, had been repeated by word of mouth against the advertisers and against the newspapers, until they had attained a vast circulation and had lived on long after they would normally have been forgotten.

DEFENDS NEW YORK NEWSPAPERS

"But I would like," he continued, "to have you show me one case where the department stores of New York City have ever kept a single item out of the New York papers. I would like to have you show me one case."

Dr. Lee said that he got an intimate knowledge on this subject when New York University established a selling school with the co-operation of nearly all the large department stores in the city. These stores, he said, employed new salesmen and saleswomen in the store for half the day and sent them to the school for the other half.

"Wouldn't you think," he continued, "that it would be easy for the department stores to get publicity about this school? But the representatives of the department stores sent me this word:

"'If you want any publicity for this school, put it out on your own stationery, because we can't get the newspapers to print anything of this kind for us. This school, for one of its importance, has received less publicity than any school in the city.'

"I once asked Mr. Straus of Macy & Co. if he had ever made any requests on the newspapers. He said yes. There was a murder in the dining-room there, a very disagreeable thing.

"I didn't ask them to suppress it," he said. "I asked them not to mention our store any more than was strictly necessary—to put a soft pedal on it.'

PUT STORE'S NAME IN HEADLINES

"I asked him what happened. He replied:

"'They put it in the headlines. I learned my lesson then. I would have fared a good deal better if I had asked no favors.'
"I would like to have the people who say the department stores control the newspapers come forward with their facts. The newspapers don't depend on the department stores." In support of this statement Mr. Lee cited some figures of newspaper income.

Dr. Lee asserted that a delegation of book publishers, who were trying to keep the price of books at $1.50 some years ago, called on the publisher of THE NEW YORK TIMES and announced that they would withdraw their advertising if THE TIMES did not cease publishing the advertisements of department stores who sold the books at $1.05. The delegation, he said, got this reply:

"If the fact that you can get these $1.50 books for $1.05 was not printed as an advertisement THE NEW YORK TIMES would print it as news."

Abraham I. Shiplakoff, the Socialist alderman, rose on the floor and made some general charges against the press, alleging that everyone knew the papers were the tools of the advertisers.

"Give me one instance," said Mr. Lee.
"There are so many that it is impossible to pick out one," said Mr. Shiplakoff.
"That's what they all say," said Dr. Lee. "All I ask for is one instance where the fact can be definitely traced and established. Give me one."

Mr. Shiplakoff hesitated and then said that a girl had been mysteriously killed in a Brooklyn department store under circumstances which would have resulted in first-page stories had the killing occurred elsewhere, but that no Brooklyn newspaper printed anything about it. Several others of the audience, composed mostly of radicals, jumped to their feet to corroborate this.

DR. LEE CALLS FOR PROOF

Dr. Lee called in vain for the name of the girl, the date of the occurrence or the department store where it occurred.
"If you can find out more about it, I wish you would write to me," he said. "I have traced many such statements but never found any truth in them."

This suppressed Brooklyn mystery apparently was a well-known and much investigated rumor, which has been thoroughly proved to be false. It was whispered about for weeks that a girl had been attacked, killed and hidden in a Brooklyn department store and that the press and authorities were in a conspiracy to hush it up. The department store discovered by the falling off of trade that something was wrong and discovered this rumor. The district attorney and grand jury and newspapers were invited to investigate. The grand jury found the story to be a pure canard.
After the Ruth Cruger murder a similar tale was spread in New York, the scene shifting from one store to another and finally fixing itself on an American shop, which was driven out of business by constant rumors and investigations.

"Sinclair is known to be a sensationalist and an egotist, and a man who parades with the 'Big 17,'" said Mr. Shiplakoff, "but he is a muck-raker trying to reform a bad evil in this country, and in other countries. I am surprised, Dr. Lee, to find a man of your intelligence attempting to defend it."

Dr. Lee again called for a specific case. Mr. Shiplakoff went on to specify. He said that when he ran for the Assembly THE NEW YORK TIMES had called him "the indicted candidate" after the indictment against him had been quashed, and had otherwise unfairly attacked him.

"I wrote THE TIMES a letter about it," he went on, "and I must admit that they printed it. But I don't think letters to the editor are as widely read as editorials."

Half a dozen persons on the floor quoted from attacks in weekly papers on Philadelphia newspapers. Dr. Lee asserted that, with the watch kept by weekly papers on the dailies, it would be difficult for New York papers to suppress news without getting caught at it and exposed. He offered this as evidence that no such thing ever took place here.

DISCUSSES CRITICISM OF RUSSIAN NEWS

Dr. Lee was asked for his opinion of the supplements printed by The New Republic criticizing the Russian news of the past three years in THE NEW YORK TIMES.

"How do you get news from Russia?" he said. "Why doesn't The New Republic print the news from Russia?"

He asserted that the Russian censorship, the British censorship, the size of Russia and changing conditions there, the varying views of different witnesses, made it difficult to get better news from Russia than had been obtained. He said that the first man to point out the unreliability of news from Russia was Melville E. Stone, General Manager of The Associated Press, in an address at the Church of the Ascension on June 9, 1918.

Dr. Lee took up a number of Mr. Sinclair's criticisms of The Associated Press, especially the suppression of a Sinclair statement offered to the news service during the Colorado strike. Dr. Lee said that reasons for refusing this telegram included the fact that The Associated Press excluded opinions from its service; that the statement was false; that it was libelous and that it was offered by Sinclair for self-advertising purposes. He said that the night manager of The Associated Press, who refused the telegram, was a former city editor of The New York Call.

Regarding other attacks on the Associated Press in the
Sinclair book, Dr. Lee quoted the challenge of General Manager Stone for anyone to prove that the news service had ever declined to correct an error of its own making. Dr. Lee said that the Associated Press had been attacked for not correcting other people's errors and that it was quite within its rights in so doing. He delivered a general eulogy on the accuracy and fairness of Associated Press news.

SINCLAIR'S REPLY

March 5, 1921.

Editor, New York "Times."

DEAR SIR:—Your issue of Monday, February 28th, reached me an hour or two ago. I note in it a two column account of an address at the Brownsville Labor Forum by Prof. James Melvin Lee, Director of the Department of Journalism, New York University, on the subject of "The Fallacies of the Brass Check." I trust that you will not publish a call for facts, and then refuse publication to the facts when they are produced. Especially I trust you will not do this in the name of journalistic integrity!

I was not present at Professor Lee's lecture. I have nothing to go by but the New York "Times" account, but the same is true of many hundreds of thousands of people in New York. According to this account Professor Lee challenged "The Brass Check" on the ground that it did not give names, places, and dates. He again and again demanded specific cases, and apparently no one in the audience was able to give him what he asked for; no one in the audience was sufficiently familiar with "The Brass Check" to point out to Professor Lee, as I can point out to him, that in every single case where he calls for exact specifications, there are not one, but several cases in "The Brass Check" in which his demands are fully and completely met. I am moved to wonder, was Professor Lee reviewing "The Brass Check," or was he reviewing the Brownsville audience? From beginning to end of his lecture on "The Fallacies of the Brass Check" he ignores great masses of facts given in "The Brass Check," and calls upon his innocent audience for facts. And when his audience does not cite any, he arrives at the easy conclusion that he has proven "The Brass Check" fallacious! And then, on top of this, the "Times" account states that "he discussed several cases in which he had obtained evidence against the truth of the novelist's statements and other cases in which he considered that the statements bore evidence of falsity on their face." The "Times" proceeds to give a couple of the latter cases—but from first to last in the entire two columns it does not give one particle of the "evidence" which it says the professor says he obtained!

I will take up the professor's arguments at the very be-
ginnning, with my early life. When I was twenty-two years old I perpetrated upon the world a literary hoax, "The Journal of Arthur Stirling." This literary hoax injured no one and amused many. It was along the lines of many literary hoaxes, dating from De Foe and Chatterton to H. G. Wells. Subsequently I published in the "Independent" a wildly humorous article, rejoicing over this hoax, and proclaiming the fact that it had won for me the chance to write my next book. The professor proceeds to cite a humorous statement, written by a youth of twenty-two, that he "would cheerfully have robbed a bank or sandbagged a millionaire," taking this as seriously meant, and giving it as a reason why no one should believe the perfectly grave facts which I cite in the 448 pages of "The Brass Check" at the mature age of forty-two.

Next, the professor quotes the story as told in "The Brass Check," of the publication of "The Metropolis," and the preparation of a sensational story, about this book which was to go into the New York "Times" on its front page, and was "killed" by the publisher of the New York "Times" at 1 o'clock on the morning of publication. To this Professor Lee makes answer, "I leave it to you whether any New York paper would print a piece of fiction on the front page:" The professor might consider this an adequate argument, but surely the New York "Times" cannot consider it such an argument; for, as it happens, the New York "Times" KNOWS. I hereby challenge the New York "Times," having published the statement of Professor Lee, to publish its own statement. Was there, or was there not, prepared for publication in the New York "Times" in the fall of 1907 a three column article—not a piece of fiction, of course, but a news story about a piece of fiction written by Upton Sinclair, dealing with New York "high society," and about to be published by Moffat, Yard & Co.?

And while the "Times" is investigating the matter, I will state what I personally know about it. As the author of the book in question, I was in the office of Moffat, Yard & Co. when their publicity man, whose name I now forget, came in and announced that he had made the arrangement for the publication of this story in the New York "Times." I helped to get together the data for the proposed story, and I saw the proof of portions of it, as scheduled for publication. I was told it was to appear in the next day's paper. I looked for it, and so did all the members of the firm look for it, and next morning the publicity man of the firm told me the story which had been told to him by the editor of the New York "Times" who had the matter in charge; how the story had been taken out of the columns of the New York "Times" by the publisher, personally, just a few minutes before the paper went to press; and that furthermore, this publisher had given orders that the
name of Upton Sinclair was never again to be featured in the New York “Times.”

Next, Professor Lee discusses my experience with the New York “Times” in the case of “The Jungle” and the series of big stories which I gave to the “Times,” dealing with Roosevelt’s investigations in the Chicago Stockyards. The professor quotes my statements about the New York “Times” putting this information under a Washington date line, whereas it had all been dictated in the New York “Times” office by myself personally. The professor’s answer is that it was a perfectly honorable thing for the “Times” to put a Washington date line on the story, because I had come from Washington with the story. The professor gives that argument, and the New York “Times” gravely publishes it; and now I will ask, what does the “Times” wish its readers to conclude from that publication? Does the “Times” ask its readers to believe that it never under any circumstances writes stories in its own office and puts them under date lines of other cities? Does the “Times” deny my statement that it is one of the commonest newspaper practices for newspapers to make up date lines to suit themselves, and also to take material which has come by mail, and give it dates indicating that it has come by cable?*

Next comes the question whether any New York newspaper ever suppressed any news at the behest of advertisers. Professor Lee is very emphatic about this. He insists upon having definite cases; he mentions particularly department stores, and this in spite of the fact that he is supposed to be reviewing “The Brass Check,” which contains cases, giving names, places, and dates. There are cases not merely in Philadelphia, as Professor Lee admits, but in New York, Chicago, Kansas City, and other places. The professor wants to confine himself to New York, and so I refer him to page 284 of “The Brass Check”; the case cited by Prof. E. A. Ross of the prosecution of a merchant in New York for selling furs under false names, and not one newspaper cited the circumstances. Or take the case cited by Max Sherover, during the strike of the retail clerk’s union; the arrest of Miss Elizabeth Dutcher in front of Stern’s Department Store at the instigation of the store manager, and the omission of the name of the department store from every New York newspaper but one. Or again, take the case cited on page 348, upon the

*In order to avoid making this letter to the “Times” too long for publication, the following detail was omitted: Upton Sinclair did not go directly from Washington to the New York “Times” office, as implied, without warrant, by Professor Lee. He went from Washington to his home in Princeton, New Jersey, and stayed there a week before going to New York, and this circumstance was fully known to all the editors of the New York “Times,” who discussed with him the efforts their Washington correspondent had been making in the meantime to get the news. Therefore, even admitting Professor Lee’s contention that the “Times” was justified in putting “Washington” over the story, the “Times” was certainly guilty of dating the story a week later than its origin in Washington. The date line, though correct in geography, was certainly a falsehood in chronology.
authority of Professor Ross, the refusal of the New York newspapers to publish the oppressive contracts which these working girls were required to sign by various big department stores. Or, more significant yet, let us take the case cited on pages 320-322 of “The Brass Check,” concerning the hearings before the Interstate Commerce Commission in New York City early in 1914, dealing with the claim of the railroads for higher rates. This story is told in detail, and I will here only give the briefest possible summary of it. One railroad president after another testified that his road was on the verge of bankruptcy, and all this elaborate testimony was featured in the New York newspapers, including the New York “Times.” Then for two days in succession appeared Commissioner Thorne, a member of the State Railway Commission of Iowa, presenting exact figures to prove that all this testimony of the railroad presidents was falsity and misrepresentation. This was one of the most sensational public incidents which ever happened in New York City, and the New York newspapers, including the New York “Times,” suppressed every word of this testimony. Does Professor Lee not know that the New York Central and the Pennsylvania railroads, whose false figures Mr. Thorne exposed, are large advertisers in the New York newspapers?

The professor then discusses the Russian news of the New York “Times” and other papers. This news has by now become the scandal of the world, and is destined to become the scandal of history. I have not the space to discuss it here, but can only refer to my book, and to Walter Lippman’s supplement to the “New Republic,” August 4, 1920.

The professor goes on to discuss the Associated Press, and especially its suppression of the news which I offered to it in Denver, Colorado, at the time of the coal strike of 1914. The professor stoops to repeat the vulgar statement that I was offering this news from motive of self-advertisement, despite the fact that I have elaborately explained in “The Brass Check” how I pointed out to the Associated Press representative in Denver that he might handle this news without mentioning my name, or without any reference to me whatever.

The professor furthermore adds that my statement offered to the Associated Press was false and libelous. No doubt it was libelous, if it was false; but, if it was false, why has the Associated Press never in all these seven years taken any action against me for bringing against it the charges of willful suppression of the truth? The news in question had to do with official proceedings in the State Legislature, and I brought to the Associated Press representative and laid before him on his desk the official journal of the proceedings, showing him how he had falsified the news, and how he might correct it. When I first gave this story to the world in 1914, I accused
the Associated Press in terms which were deliberately made, not merely libelous, but criminally libelous if untrue; that is to say, I used the same language which had been used by the editors of the "Masses," then actually under indictment for criminal libel at the instigation of the Associated Press. Yet the Associated Press has never taken up this challenge, and the Associated Press has allowed me to circulate "The Brass Check" for thirteen months, to print 144,000 copies, and sell nearly all of them, and it has yet to make any kind of move against me. It has never dared even to make a public statement in regard to this issue.

I make the recommendation that the managers of the Associated Press should agree among themselves as to what story they are going to tell about this matter. Evidently Professor Lee has consulted somebody and got a statement, because he speaks as one having authority. Yet, only the other day, I received a letter from a gentleman, well known in New York journalism, who quarrels with me concerning "The Brass Check," and tells me he knows intimately the story of that Colorado affair, and that one of the managers of the Associated Press assures him that they actually discharged their Denver manager because of that affair with me, and that they stated to this manager specifically that it was his duty to have sent out an official story on the authority of Senator Helen Ring Robinson, the member of the Colorado State Senate, who had brought out in the senate proceedings the particular piece of knavery on the part of the governor of Colorado, news of which the Associated Press suppressed for the benefit of the Colorado coal operators.

Finally the professor tells of other attacks on the Associated Press, and he quotes the magnificent-sounding challenge of Melville E. Stone, general manager of the Associated Press. "for anyone to prove that the news service had ever declined to correct an error of its own making." But here again I am amazed at Professor Lee, who is reviewing "The Brass Check." Will the professor be so good as to turn to page 145 of "The Brass Check," and note how the Associated Press sent broadcast through the United States a telegram to the effect that my wife had been arrested in front of 26 Broadway in the course of our demonstration during the Colorado coal strike in 1914. Every New York newspaper reporter who told of that case knew that my wife was not even on the scene when the arrests took place. The United Press sent out a perfectly true report and so did the other press agencies. The Associated Press alone sent the false report. A correction was sent by special delivery letter to the Associated Press within half an hour after my wife learned of the false report. Not only was no correction ever made, but no acknowledgment was made of the letter or of several subsequent letters by my
wife. I have the copies of some thirty newspapers which published this false story, collected by attorneys who urged my wife to collect damages from those newspapers, as well as from the Associated Press. These copies will be furnished to Professor Lee, who is so ardent in collecting the exact facts in these matters.

I will cite another case from "The Brass Check," also as specific as anyone could ask. It is found on page 328, and has to do with Eugene V. Debs. When Debs was arrested, the Associated Press sent out broadcast a dispatch to the effect that Debs had stated he would cause a general strike to force his release. This interview was quoted by the attorney-general as a reason for refusing amnesty to Debs. The story was a pure fabrication and the attention of the Associated Press was called to it, but no correction was ever published. "The Brass Check" goes on to quote from a letter written to the Associated Press by Eugene V. Debs in 1912, mentioning two other specific cases. Professor Lee calls for cases but does not appear to remember what he reads in "The Brass Check."

I will conclude this long letter by asking a question of Professor Lee, who defends the New York "Times." Will he assert that the New York "Times" has never declined to correct an error of its own making? Or will the New York "Times" itself publish such a challenge and publish the answer to that challenge? If so, I will open the discussion by citing page 382 of "The Brass Check," which tells how the "Times" published a letter by Prof. Richard Gottheil of Columbia University, denying that the British Government had ever executed Hindu revolutionists deported by the United States Government and turned over to the charge of the British Government. Dr. Robert Morse Lovett, editor of the "Dial," wrote to the New York "Times" citing case after case, upon British official authority, and the New York "Times" refused to publish this letter. And on the same page of "The Brass Check" I cite my own experience with my novel "Jimmie Higgins." In this case the New York "Times" deliberately altered, without my permission, a letter of mine which it published, and refused me the right to mention to its readers the fact that it had, in a review of my book, called for my prosecution by the government for making statements which the "Times" itself a few months later in a leading editorial admitted to be true.

The above is enough for one letter. I will wait for the "Times" to publish this, and I will wait to see if Professor Lee calls for more.

UPTON SINCLAIR.

March 5, 1921.

Editor, New York "Times."

DEAR SIR:—I send you herewith, by registered mail, a reply to Professor Lee's attack upon my book. I am sure that you
cannot deny me an opportunity to reply to this attack, espe-
cially when I have so many definite answers to make, and so
many facts of a kind for which the professor issues a challenge.
I request you to decide at once whether you will publish
this letter, and let me know your decision, whether yes or no,
by wire collect.

Sincerely,  
UPTON SINCLAIR.

P. S.—Please note that this letter is to be published entire,
and without alterations, if it is published at all. I don’t sup-
pose that you censored Professor Lee’s criticisms of “The
Brass Check,” and I prefer not to have you censor my answer.
The answer is much shorter than the challenge.

March 5, 1921.

Prof. James Melvin Lee,
Department of Journalism,
New York University.

DEAR SIR:—I enclose herewith a copy of a letter which I
have written to the New York “Times.” I send you a copy
in order that you may have an opportunity to satisfy yourself
concerning the fairness of New York journalism. You will
admit, I think, that this letter is reasonably courteous in tone;
as much so as your indictment of “The Brass Check.” Also
you cannot deny that it deals with facts and does not shirk the
issues which you raise.

I think that I am entitled to have my reply published in
the New York “Times,” and I solicit your good offices to
indicate to the New York “Times” what you yourself con-
sider to be proper ethics in this delicate matter. You are en-
gaged in teaching journalism and journalistic ethics, and I
shall be deeply interested to see your ethics applied, both by
you and by the great newspaper whose cause you come for-
ward to defend.

I would appreciate the courtesy, if as soon as you have
taken up this matter with the New York “Times,” and obtained
their decision, and made up your own mind concerning the
matter, you would send me your answer by night letter, col-
lect. I am a long way off, and naturally I do not like to delay
and let this matter grow cold.

Sincerely,  
UPTON SINCLAIR.

No response being received to these letters, the following
telegrams were sent:

March 14, 1921.

New York “Times.”

Request courtesy of wire at my expense stating if you
will publish my letter.
March 15, 1921.

New York "Times."

Unless you wire collect will assume you refuse publish letter.

UPTON SINCLAIR.

Prof. James Melvin Lee,
Director Department of Journalism,
New York University, New York.

New York "Times" refuses publication my letter. Am preparing public statement concerning issue. Request night letter collect will you demand "Times" publish my letter? Will you repudiate defense of "Times" as fair and honorable newspaper if they refuse publication? You can force them publish letter if you will take determined stand.

UPTON SINCLAIR.

No attention to any of the above telegrams was paid. As a further test of the "Times," the following letter had been written:

March 7, 1921.

Advertising Department,
New York "Times."

DEAR SIR:—I enclose herewith copy of an advertisement of "The Brass Check." I offered this advertisement to you nearly a year ago and you refused to publish it, but you have now published a long attack upon "The Brass Check," and it seems to me hardly possible that under these circumstances you will refuse me an opportunity to inform your readers through your advertising columns what is to be found in the book. At any rate, I desire to make a test of your journalistic policies, and I therefore tender you this advertisement once more. The advertisement is to appear in your "Sunday Review of Books" at the earliest possible date. I enclose check for two hundred ($200) dollars, and request as large an advertisement as this will pay for. In order to preclude the possibility of question as to the validity of my check, I will have it certified by my bank.

For your information, permit me further to state that this same advertisement has been published without question in the New York "Herald," "Tribune," "Evening Post" and "Evening Globe."

Sincerely,
UPTON SINCLAIR.

No response by telegraph being received, the following telegram was sent:
Advertising Department,
New York "Times."

Please wire collect if you will publish "Brass Check" advertisement.

UPTON SINCLAIR.

No response to this was received by wire. But the circumstance that a bank draft for $200 had been enclosed compelled a reply to the previous letter. The draft was returned with the following letter:

THE NEW YORK TIMES
"All the News That's Fit to Print"
Times Square, New York,

March 14, 1921.

Mr. Upton Sinclair,
Pasadena, California.

DEAR SIR:—Acknowledging your letter of March 7th, we return herewith your check for $200. Your advertisement is unacceptable for publication in The New York "Times."

Very truly yours,

THE NEW YORK TIMES.

(Note—The advertisement rejected by the New York "Times" is reproduced on the back page of this pamphlet.)

What one college paper thinks of Dr. Lee on "The Fallacies of The Brass Check."

(From the "Michigan Daily: Official Newspaper of the University of Michigan," March 3, 1921.)

CHECKING UP THE BRASS CHECK

Significant as an attempt, though a belated one, to answer the sweeping indictment of the American press made in "The Brass Check," the recent lecture by Dr. James Melvin Lee, director of the department of journalism of New York University, is disappointing as being only another incomplete refutation of the charges made. Instead of disposing of the accusations once for all, Dr. Lee's speech only emphasizes the disturbing fact that as yet no adequate answer has been made by the press:

To date American journalists have usually stopped short after disparaging the reliability of the author of the book. Some few have gone further to score the omission of names, dates, and other information by which the accusations could be tested. Others, such as Dr. Lee, have shed light on some parts of the question, although failing to bring forth conclusive proof vindicating modern American journalism.
In the meantime the charges are gaining wider circulation daily and menacing the public's faith in the press. Because they are so slanderous and inclusive the fact that they have never been scotched approximates an admission of their truth. At the present time the accusations have gained such a hearing that regardless of their source they cannot be disposed of as trivial insults that will be forgotten if ignored.

Should any of them be true there is no doubt that their seriousness might be greatly mitigated by explanations of the attending circumstances. One can have no doubt from reading the book that the author has missed few opportunities to use his material to create the most startling effect, and has not gone out of his way to supply information opposed to his case. In this connection explanation of why an act was done often gives an entirely new complexion as to whether or not it was wrong. For instance, some of the alleged suppressions of news cited are cases of personal telegrams which the Associated Press does not make a practice of distributing as news.

Scoffing and ignoring the charges has proved a failure. The time has come for the American press to produce a complete and conclusive refutation of the slander, in the form of an exhaustive review of "The Brass Check" branding its inaccuracies and setting out the circumstances in each case. The public is entitled to an explanation and the cloud will not be removed from American journalism until each falsehood has been nailed, or if admitted as truth proved to be indicative of a past condition which has really been altered.

SUPPLEMENT

The material so far appearing in this pamphlet was in type and about to go to press, when on April 2d, twenty-eight days after I had written to the New York "Times" and to Professor Lee, I received two communications; first, a long letter from the professor, and second, a marked copy of the editorial page of the "Times" for March 29th, containing a discussion of my rejected letter to the "Times," stating the reason of the "Times" for rejecting it. Professor Lee's letter was dated March 23d, but the postmark on the envelope was "Hudson Terminal Station, N. Y., March 29th, 11 a. m."--the same date as the "Times" editorial; and this struck me as peculiar. I had mailed to some magazines in New York a full page advertisement, headed "The Crimes of the Times," announcing my intention to put this controversy into a pamphlet, and mail a copy to every student of the New York University School of Journalism. The advertisement was mailed on March 21st, and was due to reach the magazines on March 25th or 26th. Could it be that one of these magazines
had submitted a copy of the advertisement to the “Times,” or to Professor Lee, or to both; and that the “Times,” seeing I was going to get my side of the story printed after all, had made a hasty effort to spike my guns? As for Professor Lee—could it possibly be that a respectable professor of journalistic ethics would write a letter on March 29th and instruct his secretary to date it March 23d?

I sent a telegram to the professor as follows:

Pasadena, April 2d.

Before answering letter I request courtesy reply by wire collect. When you wrote this letter, did you know I was about to publish in liberal press full page advertisement dealing with this matter? Was your letter written March 23 as dated or March 29 as postmarked on envelope?—UPTON SINCLAIR.

To this came a prompt reply—the first sign I had seen that the professor knows how to telegraph! I quote:

Knew nothing of advertisement. Letter written on day dated.—JAMES MELVIN LEE.

So my suspicions were groundless! The professor, despite his tardiness, had really written for the sake of courtesy and fair play, and not, as I had fouly suspected, because he knew of the pamphlet I was going to send to his pupils! I felt quite badly about having misjudged him. But a few minutes later a friend came in, bringing a copy of the New York “Call” for March 26th; and there on page 5 was a news story, with a heading two columns wide:

SINCLAIR PLANS TO OFFSET LEE’S BLOW AT BRASS CHECK

AUTHOR TO SEND PROFESSOR’S STUDENTS COPY OF PAMPHLET REFUTING ATTACK ON PRESS EXPOSURES.

So, after all, there was a chance that my plan to publish a pamphlet had had something to do with the professor’s decision to answer my long-neglected letter! But how about the date on this letter? Could it possibly be that he had read the “Call” story on March 26th, and had then prepared a letter to me, mailing it March 29th, with the date of March 23d; and that then, getting my telegram April 2d, asking if he had heard of my advertisement, he had blandly answered “No”—and keeping a discreet silence concerning the “Call” article?

What were the chances of his having read the “Call” article? You will note his statement that he has Socialist students in his classes, and he discusses “The Brass Check” with them, and he gave his public lecture on my book “as a special courtesy to one of them.” Can any imagination picture the Socialist students failing to take this story to their pro-
fessor? What are Socialist students for—save to carry on the class struggle with their professors? I telegraphed again:

April 3d.

Having just seen the New York “Call” March 26th obliged to trouble you with one more question. Have you seen this article? Had you seen it before mailing letter? If you care to state why letter written March 23 bears postmark March 29 will publish explanation if wired immediately.—UPTON SINCLAIR.

To this telegram there was no reply. What conclusion is to be drawn from the silence I leave to the reader. I now proceed to the correspondence, beginning with the New York “Times” editorial of March 29, 1921:

FEW WORDS, BUT ENOUGH

Mr. JAMES MELVIN LEE, Director of the Department of Journalism, New York University, in the course of a recent public address, saw fit to expose some of the false statements of “The Brass Check,” a volume in which Mr. UPTON SINCLAIR represents American journalism as it appears to him through the cracked and smoked lenses of spectacles of his own construction. Mr. SINCLAIR now asks THE TIMES to give space to some thousands of words in reply to Mr. LEE.

We have examined carefully Mr. LEE’s address and Mr. SINCLAIR’s reply. In relation to matters of which we have knowledge we find that Mr. LEE speaks the truth and that Mr. SINCLAIR does not. A single example will suffice. One of Mr. SINCLAIR’s tales in “The Brass Check,” disputed by Mr. LEE in his address, concerned THE NEW YORK TIMES. It represented that the publisher of THE TIMES happened in [at THE TIMES office] at 1 o’clock in the morning, and discovered a three or four column story about ‘The Metropolis’ [a book of Mr. Sinclair’s] on the front page of THE TIMES. ... The story was killed; and incidentally UPTON SINCLAIR was forbidden ever again to be featured by THE NEW YORK TIMES.” Mr. SINCLAIR recurs to this tale in his letter to THE TIMES, with a shifting of ground. For his own positive statement in “The Brass Check” he now substitutes the alleged statement of the “publicity agent” of a publishing house, whose name he has forgotten after the lapse of fourteen years. It appears that the “publicity agent” told Mr. SINCLAIR he had arranged for the publication of a “story” about “The Metropolis” in THE TIMES, and that when it failed to appear the “publicity agent” explained that “the story had been taken out of the columns of THE NEW YORK TIMES by the publisher personally, just a few minutes before the paper went to press.”

In every particular Mr. SINCLAIR’s statement in “The Brass Check” is false. No such incident ever occurred, and the evidence he now pretends to offer is obviously not evidence at all. Had the incident thus falsely described ever occurred, it would have been of no importance and nobody’s business but our own. We mention it merely as one of the tests we have applied to Mr. SINCLAIR’s veracity. By these tests he fails to establish a right to a place in THE TIMES for the miscellaneous charges and insinuations against persons and newspapers which he now offers. It may be mildly interesting to watch Mr. LEE swatting a fly, but there is no reason why any of the spectators should open his house as a refuge for the pestiferous and defiling insect.

As soon as I had read the above editorial I sent the New York “Times” a telegraph. I should explain that this was
before I saw the New York "Call," and I still had the idea that my advertisement must be the cause of the activity of Professor Lee and the "Times."

**Editor New York "Times":**

Preparing pamphlet entitled "Crimes of the ‘Times’" which I intend mailing to every college student, clergyman, lawyer and editor in this country. I differ from you in that I am willing to give my antagonist a hearing. I now give you an opportunity to publish in the "Times" this telegram with your answer before I publish it in my pamphlet. Question one, did you when you published editorial March 29th concerning "Brass Check" know that I had sent to all liberal weeklies an advertisement setting forth your refusal to publish my defense against Professor Lee's attack on me? Had you read this advertisement? Second, why did you confine your editorial to the one incident which is a question of veracity between us, and omit all mention of my many charges of journalistic dishonesty cited by me, which are proven from your own columns? Why, for example, do you not mention the incident set forth on page 321 of "Brass Check" and explain this to your readers? Third, why do you tell your readers that I asked you "to give space to some thousands of words in reply to Mr. Lee," and fail to let your readers know that my reply would have occupied less than two columns, and was considerably shorter than the attack on me which you published? Fourth, how can you state that I shifted my ground in the matter of the story of the Metropolis and the "Times," and that "for his positive statement in the ‘Brass Check’ he now substitutes the alleged statement of the publicity agent of a publishing house whose name he has forgotten after the lapse of fourteen years"? I ask how can you dare to say this, when you have before you the text of my letter, which plainly states that I myself saw with my own eyes the proofs of portions of the story, as prepared for publication by the "Times." Fifth, in view of my charge that you have deliberately falsified my statement in this matter, will you give your readers an opportunity to read that paragraph from my letter and judge what I actually did say? Sixth, will you obtain and publish in the "Times" an affidavit of the man who was city editor of the "Times" in 1907, that there was not prepared by the "Times" a long news story about my novel, "The Metropolis"? Seventh, will you agree to publish on the editorial page of the "Times" statements of such witnesses as I can produce to substantiate my story, provided total space is not more than half column? Eighth, if you will not publish this telegram, will you explain why not? You are authorized to wire five hundred words at my expense, answering questions by number.

**Upton Sinclair.**

To the above telegram the New York "Times" made no reply. I waited two days, and then sent another telegram, as follows:

**Editor New York "Times":**

Unless you wire immediately, will assume you refuse answer telegram.—**Upton Sinclair.**

To this, likewise, there came no reply. I will merely point out that the "Times" has done to me the same thing that "Collier's Weekly" did at the very beginning of my career ("The Brass Check," page 29): discussing a letter in their editorial columns while refusing publication of the letter; and quoting
only a portion of the letter, and misrepresenting that, actually making me tell a lie about myself! Turn back to my letter to the "Times" and read my exact words: "I helped to get together the data for the proposed story, and I saw the proofs of portions of it as scheduled for publication;" and compare with this, the statement as published in the "Times" editorial: "For his positive statement in 'The Brass Check' he now substitutes the alleged statement of the publicity agent of a publishing house, whose name he has forgotten after the lapse of fourteen years." The "Times" says that I "shifted my ground," and that I seek to put off on an unnamed "publicity agent" my story of what happened in the "Times" office; it comments: "The evidence he now pretends to offer is obviously no evidence at all." But what I actually said was that I saw the proofs—and what could be more positive evidence than that? Anybody who knows anything about such affairs knows that newspaper proofs contain the stamp of the newspaper, and are not to be "faked" or mistaken for anything else.

The "Times," of course, assumed that it could falsify about me in this matter, because it was a question of veracity between us, and all respectable people would believe the "Times." But, as it happens, the "Times" has miscalculated. I have on my desk a letter from Mr. W. D. Moffat, at that time president of Moffat, Yard & Co., the firm which published "The Metropolis," and now editor of the "Mentor," 116 E. 16th St., New York. I might mention that I have not seen Mr. Moffat from that time to this, nor have I corresponded with him, nor had any relations with him. He is practically a stranger to me, and I would not know him if I met him; he owes nothing to me, and is therefore as disinterested a witness as one could imagine. He writes that he does not remember the details—naturally he would not, after a lapse of fourteen years; but he says: "I REMEMBER THE INCIDENT ABOUT THE NEW YORK 'TIMES' STORY, AND OUR CHAGRIN ON THE MORNING WHEN WE EXPECTED TO FIND THE STORY IN THE 'TIMES' AND DID NOT FIND IT."

I decided that, to make the case perfect, I would give the "Times" one more chance. So on April 5th I sent this telegram:

*Editor New York "Times":*

W. D. Moffat, president Moffat, Yard and Company, writes concerning Metropolis story referred to in your editorial March twenty-ninth: "I remember the incident about the New York 'Times' story and our chagrin on the morning when we expected to find the story in the 'Times' and did not find it." Here is complete vindication of my claim from entirely disinterested witness. This telegram for publication. Photographic copy Moffat's letter if desired. Wire collect.—UPTON SINCLAIR.
To this, of course, there was no answer. Later: I have received a telegram from Mr. Robert Sterling Yard, formerly a member of the firm of Moffat, Yard & Co., afterwards editor of the "Century Magazine," and now chief of the Educational Section of the Government's National Park Service. Mr. Yard's telegram reads:

"I recall article was prepared about 'Metropolis' for 'Times' to publish, but that it was not published, which greatly disappointed us all."

I now go on to Professor Lee, whose letter follows in full:

NEW YORK UNIVERSITY
School of Commerce
Accounts and Finance
Washington Square, New York

Department of Journalism March 23, 1921.

My dear Mr. Sinclair:

Your registered letter and your telegram have reached my desk. I have been simply swamped with letters about my address and they are still coming in. The report of the speech in The New York "Times" brought me over 200 communications, and in almost every instance the writer expected a reply.

I will take time, however, to say a few words about my speech. As a special courtesy to one of my students who is a Socialist I went over to Brooklyn where I discussed "The Brass Check." I took this book up chapter by chapter and told what the various men mentioned in the book had related to me about the incidents mentioned therein. I made no deductions myself but left the audience to decide for themselves whether it would accept your word or the word of Norman Hapgood, William W. Harris, Rowsey who was in Denver at the time you filed your version, Sophie Kerr Underwood, John S. Phillips, a relative of Miss Branch, Mr. Van Anda of the "Times," etc.

I shall be very glad to receive from you any proofs why I should accept your word rather than their word. Frankly it seems to me that "The Brass Check" contains no documentary evidence in your favor.

The journal of Peter Stirling in my opinion has a direct value as to the reliability of its writer when put on the witness stand. Do you take exception to this point?

I haven't space to go into detail but I should like to be shown why your telegram to the president is not libel. Every lawyer to whom I have shown it says it is libelous per se. It may have been untrue, but what evidence do you give that the governor was wilfully and deliberately trying to deceive? No proof is given in "The Brass Check."

Does or does not the printed caption of the resolution contain the word "mediation"? This seems to me a most vital point in any discussion. The official records of Colorado will give the answer.

Did the Associated Press story use the word "mediation" or did it say it was an advisory committee?

Surely you cannot expect me in a letter to repeat what I said in a two and a half hour address. I should like to see one specific case where the department stores of New York City have actually kept an item out of the New York papers. I have had no facts with proof as
yet. I have sent my students on numerous wild-goose chases to run
down stories about suppression, but I have never found any items of
truth.

I notice that you send me a letter by registered mail. Have you
any positive proof to show that you ever sent a letter requesting the
Associated Press to correct its assertion that your wife had been
arrested? I have seen several Associated Press reports which said that
your wife was on the street. This fact certainly does not indicate
that she was in jail.

Anyone will tell you that the burden of proof is upon the affirmative
and not upon the negative. In other words, you must show that you
made the request. The Associated Press does not have proof; it did
not receive it. If you have anything to show you sent a denial to the
Associated Press, I should be glad to have the facts.

I am very familiar with "Fakes in American Journalism." Its
author was one of my students and its first edition was a thesis turned in
to me in my history of American journalism class. As I remember
it I gave the author a fairly good mark. If I had time I could
indicate how I think the book proves something quite different from
what you indicate in "The Brass Check."

Please bear in mind that I have no personal feelings in this matter.
I am a constructive critic of the press myself. I think a serious book
dealing with the faults of the American newspapers is sadly needed
at the present time.

Don't you think that in case of conflicting stories of two different
people one has a right to ask for evidence as to which one should be
believed? This is the point I hoped you would answer, but it is one
of the points which you did not even mention in your letter.

John Haynes Holmes wrote me a long letter in which he said the
"Times" only printed what it wanted to print. Is not the same thing
true of the Reverend Mr. Holmes? Does he not preach what he wants
to preach? Don't you write what you want to write? Don't I teach
what I want to teach?

It seemed to me that almost everyone in my audience had a copy
of "The Brass Check." For that reason I felt very free to be specific
in my criticism.

In conclusion I want to remark that I think I have a fairly broad
point of view and I think my Socialist students will admit this. You
are at perfect liberty to write to the daughter of Morris Hillquit who
was in my class last year.

But for the pressure on my time I should be very glad to go more
into detail on any of these points. The one thing I should like to have
from you is the answer to the question raised in one of the first
paragraphs of this letter; why I should take your word rather than the
word of Norman Hapgood, John S. Phillips, W. W. Harris, etc.

I am simply after the truth in all matters relating to American
journalism. No one is more conscious of its faults than I. On the
other hand, I think I am fairly familiar with its merits.

Very truly yours,

(signed) JAS. MELVIN LEE,
Director Department of Journalism New York Univ.

Professor James Melvin Lee

Dear Sir:

I have your letter and your answer to my telegram of April 2d,
stating that you knew nothing of my advertisement. I note that you
leave unanswered my telegram of April 3d, asking if you had read the
article in the New York "Call" of March 26th. Your silence compels
me to assume that you had read the article. I note that you do not
accept my invitation to explain the discrepancy of six days between the date of your letter and the postmark on the envelope.

I will now tell you how this whole matter appears to me. You provided the New York "Times" with material for an attack upon my book and a defense of itself. An article was prepared by the "Times" to seem as damaging as possible to me, and as favorable as possible to the "Times"—and so obviously dishonest that you, in a conversation reported to me by Mr. Oswald Garrison Villard, did not dare to defend it, but took refuge in the statement that the "Times" had only quoted those portions of your address which were favorable to it, and to American journalism in general, and had omitted to mention all your unfavorable comments. But when I wrote to you, asking you to see fair play between the "Times" and myself, you ignored my letter; and even now, when I have succeeded in getting a belated reply, you entirely ignore that fundamental point. You do not meet my request to say what you think of the conduct of the "Times," either its one-sided report of your address, or its refusal to publish my answer. My letter to the "Times" was complete, covering every point they had raised; and it was submitted to you as a test of your sense of honor and fair play. You "flunked" the test. You not merely ignored my letter, but you ignored my telegram of March 16th, with its specific request for a telegram at my expense. You thought I was helpless, and must submit to whatever treatment you and the "Times" saw fit to deal out to me.

But suddenly you discovered that you were to be branded before your students as a man without regard for fair play; and so both you and the "Times" came down from your perch of dignity. The "Times" quoted from my letter, which it refuses to publish, distorting the quotation, so as to make me in effect say something I did not say. After which it went back to its perch of dignity, and refuses to pay any attention to my telegrams of protest.

And what did you do? Having for nineteen days had my letter lying on your desk, you finally make a reply in which, with the bland deftness of a prestidigitator, you evade the subject of the delay. You say: "The report of my speech in the New York Times' brought me over two hundred communications, and in almost every instance the writer expected a reply." Did he get a reply? Or did he wait nineteen days for it? You do not say, but leave us with a picture of yourself, buried in the task of answering your two hundred correspondents. But I ask you, what did you owe to the writers of these two hundred letters, that you should have kept me waiting? Had you slandered any of them before the world? Had you misrepresented their published writings? No, you had not. You owed them courtesy—nothing more; but to me you owed the heaviest debt that one man can owe to another, and if you had been a man of honor, you surely would have sat up at night to write a letter to the "Times," asking them to publish my defense, and at the same time wiring me that you had taken this stand for decency in controversy.

However, you have now got round to answering my letter, and what do you say? You proceed to ignore most of my questions—every single one which depends upon documentary evidence, and can be proven from the files of the "Times." You proceed to drag across the scent a whole sheaf of red herrings—beginning with the names of seven people who you say contradict me, though you do not tell me a single word they say. It is hard to deal with such a form of argument; but I will do my best.

I begin by asking, why have those people not come forward and stated publicly their exceptions to my book? The book has now been before the public for fourteen months; more than 125,000 copies have been sold, it is the most talked of book in America, and is being translated into a dozen foreign languages. During the whole fourteen
months the entire capitalist press of the country has been at the disposal of anyone who had a charge to bring against the book; yet not one single person has come forward and stated publicly over his own signature that I have made a false statement about him in "The Brass Check"! There seems to me something comical about the procedure of the several people you name—and I know not how many others who are covered by your phrase "etc"—stealthily approaching a college professor and telling him their complaints against my book, and then telling them to a Brownsville labor audience, and not even the brave New York "Times" daring to print what is said.

I will take up these persons one by one:

(a) Norman Hapgood. In naming him you commit what I am forced to call a dishonesty, in that you fail to mention that in "The Brass Check" I plainly state (page 25) that Hapgood denies my story. I thus give the reader full opportunity to decide whom he wishes to believe, and I do the very thing you challenge me to do—that is, I state why the reader should believe me instead of Hapgood. This is only one more illustration of your invariable method of calling for something which is in my book. For you to do that before the Brownsville Labor Forum was clever; but for you to do it in writing to me is merely silly, because I know what is in my book.

(b) William W. Harris. This gentleman is defending his integrity as an editor of the New York "Herald" ("Brass Check" Chap. VIII); but he had better be careful what he says in print, for I have the documents, and think I can also get the testimony of Mrs. Ella Reeve Bloor. The New York "Herald" once paid me $2,500 damages for libel (page 189), and I presume does not want to pay any more.

(c) Mr. A. C. Rowsey. I would be greatly interested to know what he has told you. Mr. Rowsey wrote to me, and made no complaint whatever as to the story I had told (page 166). He said he thought the position he had filled on the Associated Press would enable him to write a very important book, and he asked my assistance.

(d) Sophie Kerr Underwood. I know nothing about this lady, save that she is the author of what I have called "the vilest piece of innuendo in American political history" (page 336). I said nothing save what is revealed by the internal evidence of her story. Does she deny that the story refers to Woodrow Wilson, and was so understood by the public?

(e) John S. Phillips. Here is an honest gentleman, who was kicked out of the American Magazine, because he retained some of his idealism. It is possible that his memory may differ from mine concerning some details of what I have told in "The Brass Check"; I hope he will not trust to his memory, but will look up the documents, because I have done so (page 81).

(f) A relative of Miss Branch. You produce the relative, and then I may produce Miss Branch (Chap. XXIII).

(g) Mr. Van Anda of the "Times." I spent a summer vacation next door to this gentleman and know him quite well. I am sorry to have to quarrel with him, but he is the managing editor of the "Times," responsible for its policies, and he deliberately subordinates himself to the interests of big business, and betrays the welfare of the public. I have exposed what he has done, mainly by quoting from the files of his paper. Naturally, he defends himself, and naturally, he is very careful not to mention the vast bulk of my charges, consisting of quotations from the "Times." I can understand why he should do this; but I cannot understand why you should follow his example.
This completes your list, except for the "etc.," with which I cannot deal, and which, therefore, seems to me a trifle unfair. In as much as you lay such particular stress upon the question why you should believe me instead of these people—coming back to the question and repeating it at the end of your letter—I will give you three specific reasons, as follows:

First, because I have stated my charges in writing, over my signature, and these people have not done the same. I am responsible for what I have written, but they are not responsible for what you hint.

Second, because for sixteen years I have been systematically exposing special privilege in this country; I have attacked most of the powerful forces which control the country, and my enemies have had every resource of wealth, prestige, and publicity; yet not one of them has ever proven a falsehood against me, nor even gone so far as to file a libel suit against me.

Third, because, with the possible exception of the unnamed relative of Miss Branch, all the persons you name have had a personal and financial interest to defend against me; whereas I, in every case, was defending a public interest, and at heavy financial sacrifice. You will say, no doubt, that I have a financial interest in defending "The Brass Check"; therefore I will state that in publishing this book I have handled, so far, over a hundred thousand dollars, and not one penny of it has stayed with me. I have sold the books at so low a price that there has been practically no surplus, and what there might have been has gone to breaking the newspaper boycott of the book. For example, it cost me $750 in advertising to force the "Weekly Review" to make a public admission that it had published a false charge against me, while having the documentary evidence in its possession. (See the "Weekly Review," March 30, 1921, page 287; also the "New Republic," March 30th, page 135.) I spent $600 in advertising, in order to get a letter from you, and I expect to spend one or two thousand in circulatng this pamphlet.

To take the rest of your letter, paragraph by paragraph:

By "the journal of Peter Stirling" you doubtless mean my book "The Journal of Arthur Stirling." I have already answered this question elaborately in my letter to the "Times." Since you ask it again, I answer again. I think that to quote a harmless joke perpetrated by a youth of 22 as a reason for evading all the mass of documents in "The Brass Check" is to prove yourself desperately hard put for a basis of attack upon me.

You say: "I should like to be shown why your telegram to the president is not libel." By this you make yourself ridiculous, for in my letter to the "Times" I plainly state: "No doubt it is libelous if it is false." Again you ask: "What evidence do you give that the governor was wilfully and deliberately trying to deceive? No proof is given in 'The Brass Check.'" Here again you show that you cannot recall the simplest statements in my book. The evidence I give is that I at once wrote the governor, pointing out the falsity of his statements to the president, and proving it by the public document. His reply was to abuse me as a "prevaricator," and to substitute for his false statement another statement equally false. Every bit of this is fully quoted in my book (page 162); yet you declare: "No proof is given in 'The Brass Check'!"

Neither in the caption nor in the text of the resolution does the word "mediation" occur (page 158). Why do you ask me this question, when by a telegram to the librarian of the state library at Denver you might
have made sure in a couple of hours? It seems to me that you are here aggressively pretending to have something important to say, in order to conceal the fact that you have nothing at all.

Next, the Associated Press sent out Governor Ammon's telegram, which contained the word "mediation" (page 160). And I myself took the copy of the House Journal to the Associated Press representative and showed him that the governor's telegram to the president was a lie (page 166). I also showed him that he might handle the story without mentioning me (pages 169-70). He might quote the Rocky Mountain News, which had the whole story and published it (page 161). Would he have been committing libel then? Would he have committed libel if he had quoted the official proceedings of the state senate, where Senator Helen Ring Robinson had exposed the infamy (page 157)? Do you not see, sir, how impossible it is for me to believe in your good faith, when you persist in overlooking all these facts, which are fully given and explained in minute detail in "The Brass Check"?

Next you ask for evidence concerning department stores—following your usual procedure of blandly overlooking the evidence provided in my letter to the "Times."

Next you ask: "Have you positive proof to show that you ever sent a letter requesting the Associated Press to correct its assertion that your wife had been arrested"? I answer yes. I have the testimony of witnesses, in whose presence my wife placed in the hands of the Western Union messenger boy a letter to the City Editor of the Associated Press. This letter was sent in great haste, upon receipt by my wife of an anguished telegram from her mother in Mississippi. At that time my wife had no idea but that the Associated Press would correct the false statement. Later, desiring to make a legal case, a second demand was sent by registered mail. This case was very carefully prepared under the direction of a well known lawyer of New York, who assured my wife that she could without question collect heavy damages from the Associated Press. I have a clipping from the Norfolk, Virginia, Ledger Despatch, April 30, 1915, bearing the Associated Press caption and stating that every paper in the South which had printed the libel was being sued for from ten to fifty thousand dollars damages. The Associated Press itself would have had to defend these suits, therefore you can judge of the likelihood of their not hearing about the matter. It is amusing to note that not even when these suits were filed the Associated Press see fit to correct its lie! Yet you blandly argue that the Associated Press was never notified; and it throws an amusing light on your point of view, that you accept the statements of the Associated Press without question. You do not say that the Associated Press informs you, or that it denies having received a letter; you say: "The Associated Press does not have proof; it did not receive it."

Also you say: "I have seen several Associated Press reports which said that your wife was on the street. This fact certainly does not indicate that she was in jail." No; it does not indicate anything about the matter, one way or the other. I myself was in jail, and then went on the street again, as I plainly stated in my story (pages 147-9). The only possible point to this inquiry is that you question whether the Associated Press sent out a report that my wife was arrested. Accordingly I have taken the trouble to dig through a score of boxes of old papers, and I am sending to my New York office, by registered mail, a copy of the Oklahoma City "Times" for April 29, 1914. You will note that this paper bears under its headline, the caption, "Exclusive Associated Press Report." You will also note the article stating that my wife was arrested. If you will call at my New York office, No. 3 East 14th Street, Room 408, at any time during office hours, this paper
will be submitted to your inspection. It is one of thirty Associated
Press papers in my possession carrying this libel.

Next you ask: "Don't you think that in case of conflicting stories
one has a right to ask for evidence as to which one should be believed?"
I answer yes, of course; but when one calls for evidence, and it is
furnished, one has no right to ignore it, and to go on calling for it
over and over.

Next you ask if John Haynes Holmes does not preach what he
wants to preach. That is a matter of another man's psychology. My
guess is that Dr. Holmes preaches what his conscience and concern for
public welfare compel him to preach. You ask if I do not write what I
want to write, and here I can answer positively: NO. What I want to
write, and have all my life wanted to write, is a blank verse tragedy;
what I actually write is advertisements and pamphlets attacking servants
of privilege in high public station. You ask, referring to yourself:
"Don't I teach what I want to teach?" I answer, maybe so; there
are horses that stand without hitching. I can say this positively: Your
argument that the "Times" is justified in "only printing what it wants
to print" shows that you have no remotest idea of the responsibilities
of a great newspaper as a servant of the public welfare, and are therefore
wholly unfitted to teach the ethics of journalism to classes of
young men and women.

Finally, in bidding you farewell, I sum the matter up: Anyone
may go over your attack on me, as quoted by the "Times," and then go
over my answer to the "Times," and check it up point by point, and
see that I have not dodged a single issue. Likewise, anyone may go
over your letter to me, and this present reply, and see that I have
carefully dealt with every single point that you raise. But you have
read "The Brass Check," and passed over everything in it that did not
suit your purpose; you have read my letter to the "Times," and done
the same thing again. This is a fact, and anyone can see that it is a
fact, and it is the last word I have to say, either to you or about you.

Yours truly

[Signature]

LEE FINDS NEW YORK PAPERS FEARLESS
UNIVERSITY PROFESSOR'S CHALLENGE TO PROVE CASE OF AD-
VERTISING CONTROL NOT MET

No News Is Suppressed
PROPAGANDA OMITTED AND COMPLAINTS RECEIVED GENERALLY
REFER TO THIS

Dr. James Melvin Lee, Director of the Department of
Journalism at New York University, spoke last night at the
University Settlement on "The Making of a Newspaper."

He traced the history of newspaper making forward from
its birth, which occurred, in his belief, when Julius Cæsar caused the Roman Senate to publish its acts in red letters on a white bulletin board. This publication, which was entitled "The Daily Acts," had a beneficial effect on the Senate, according to Dr. Lee.

Dr. Lee said that newspapers were corrupt in some cities in the United States and that they had a fault of printing too much propaganda everywhere, but of New York newspapers he said:

"I have no hesitation in saying, as far as New York papers are concerned, that they are independent and absolutely fearless."

Dr. Lee, who had in an address several weeks ago on "The Brass Check" challenged anyone to furnish evidence that New York newspapers had suppressed any item at the request or command of advertisers, said last night after the meeting that his challenge had not been met.

"I have received more than two hundred letters from persons who read the report of that lecture in The New York Times," he said, "and some of them contain interesting statements, but none of them offers evidence of the suppression of news by a New York newspaper at the dictate of advertisers.

"I have received charges that this, that or the other thing was suppressed, but, as far as I have been able to discover, the matter which has been omitted from the newspapers was not news but propaganda.

"For instance, I have received many and bitter letters from Jews, asserting that The New York Times suppressed news about the persecution of Jews in Poland. I think what probably happened was that the news was printed but some of the propaganda was not. Persons who are interested in a particular cause and do not find all they want to read about it in the newspapers sometimes find fault unjustly."

Arguing that suppression of news usually had an effect contrary to that intended and insured wide and long-continued circulation for the news suppressed, he said that the Philadelphia newspapers had suppressed an item about a department store, which would have been forgotten in two days by the whole public if the item had been duly printed.

"What was the result of the suppression? I was lecturing on journalism before University of California, and at the end a man asked me about that case. When I was in Tuscon, a man who learned that I was interested in journalism asked me about it. When I was in Canada on a vacation, a man who heard I was a teacher of journalism asked me about it. It would never have been heard of outside of Philadelphia except for being suppressed."
Who Owns the Press and Why?

When you read your daily paper, are you reading facts or propaganda? And whose propaganda?
Who furnishes the raw material for your thoughts about life? Is it honest material?
No man can ask more important questions than these; and here for the first time the questions are answered in a book.

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A STUDY OF AMERICAN JOURNALISM

By
UPTON SINCLAIR

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"The Brass Check" is a book of facts; a book packed solid with facts. Says the introduction:

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Says Robert Herrick: "I wish to thank you and congratulate you."
Says Charles Zueblin: "The Brass Check' ought to raise the roof!" (It has done so.)
Says John Haynes Holmes: "The book is tremendous. I have never read a more strongly consistent argument or one so formidably buttressed by facts. You have proved your case to the handle. I again take satisfaction in saluting you not only as a great novelist, but as the ablest pamphleteer in America today. I am already passing around the word in my church and taking orders for the book."
Says the "Nation" (New York): "A most important book ... a fascinating and thorough treatise upon the American Press."
Says the "Nation" (London): "This astonishing production ... a highly curious record ... a telling array of evidence ... a plain factual record."
Says the "Neues Journal" (Vienna): "A book-trade 'scoop' without equal ... a breath-taking, clutching, frightful book."

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