

# Jerry Siegel's 1975 Press Release

## Introduction

by Michael Catron



*Jerry Siegel circa 1948*

**In October of 1975**, Jerry Siegel, the co-creator of Superman, wrote a press release which was, next to those initial Superman strips, probably the second most important thing he wrote in his life.

Earlier that year, Siegel and Joe Shuster had lost a lawsuit against National Periodicals (DC Comics) over the rights to the renewal copyright of Superman. As Siegel explains in the press release, Siegel and Shuster had given up their right to appeal the verdict after DC hinted it might finally make some sort of financial arrangement with them over Superman.

But by October nothing had happened and, after decades of public silence, Siegel couldn't contain himself any longer. He wrote a furious, bitter, anguished indictment of DC's treatment of Siegel and Shuster. Siegel's emotionally-charged scream of agony and frustration was also a desperate plea for help and understanding. More than a quarter of a century later, his account of his long struggle for justice is still powerful, disturbing, and heart-rending.

But Siegel didn't stop there. In a fit of either genius or despair, he put a "curse" on the upcoming Superman movie, a gambit guaranteed to garner press attention.

Siegel's "curse" made headlines around the world as obliging reporters gave him plenty of ink to tell his story.

More importantly, Siegel's cry for help rallied two allies immediately to his side — comic book artists Neal Adams and Jerry Robinson.

Adams, who had frequently drawn Superman himself, had a reputation as a maverick in the industry. "And at that time," he said, "I was president of the Academy of Comic Book Arts. ...Essentially what I and the guys in my studio did was, we decided that day that we would make an effort that these two guys would at least be treated reasonably at the end of whatever that effort might be. That effort turned out to be about three-and-a-half months long and used up a tremendous amount of energy in the studio, but it worked out fine."

Robinson, who had worked on the early Batman stories with Bob Kane, was a past president of The National Cartoonist Society. “I took it immediately to the National Cartoonist Society,” Robinson recalled. “We wrote a resolution. We held a press conference. I took it to the Magazine Guild and got a resolution backed by them. I wrote organizations around the world. We really orchestrated a whole national campaign — international campaign actually. I think without that we maybe wouldn’t even have gotten the settlement that we did.

“The creators were destitute and they [had] created dozens and dozens of millionaires. [Warner] could have written [Siegel and Shuster] an amount off the top that would have given them a secure future for the rest of their lives without any problem. But [Warner was] fighting to the end because they felt that if they gave an inch, they would be subject to further demands or further litigation to restore [Siegel and Shuster’s] rights.”

Ultimately, Warner agreed to give Siegel and Shuster an annual income of \$20,000 each and medical insurance for the rest of their lives. Of equal importance, they agreed to restore Siegel and Shuster’s names to Superman, not just in the comics, but in all media. When *Superman* premiered in 1978, Warner gave Siegel and Shuster a full screen credit as the creators of Superman and has continued to do so in all subsequent movies, TV shows, comics, and cartoons.

The amount of their payments from Warner was raised quietly over the years. When Shuster died in 1992, he was reportedly receiving \$85,000 a year. A Reuters report placed Siegel’s annual stipend at his death in 1996 at “six figures.”

The settlement, according to Adams, was good not just for Siegel and Shuster — it was good for DC, too. “It enabled DC Comics and Warners to actually think better of themselves,” Adams reflected. “In spite of the fact that there was such reluctance to take care of these fellows and to put their names back on this property, it seems to me that everybody profited by this.”

So here is Jerry Siegel’s October, 1975 press release. It has been retyped for ease of viewing on a computer screen but close attention was paid to re-create the look and feel of the original document. A typewriter-style font is used to simulate the look of Siegel’s manual typewriter, the formatting of lines and paragraphs follows the original, even Siegel’s typographical and spelling errors are preserved.

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FOR IMMEDIATE RELEASE

SUPERMAN'S ORIGINATOR PUTS "CURSE" ON SUPERMAN MOVIE

It has been announced in show business trade papers that a multi-million dollar production based on the SUPERMAN comic strip is about to be produced. It has been stated that millions of dollars were paid to the owners of SUPERMAN, National Periodical Publications, Inc., for the right to use the famous comic book super-hero in the new movie. The script is by Mario Puzo, who wrote "The Godfather" and "Earthquake". The film is to have a star-filled cast.

I, Jerry Siegel, the co-originator of SUPERMAN, put a curse on the SUPERMAN movie! I hope it super-bombs. I hope loyal SUPERMAN fans stay away from it in droves. I hope the whole world, becoming aware of the stench that surrounds SUPERMAN, will avoid the movie like a plague.

Why am I putting this curse on a movie based on my creation SUPERMAN?

Because cartoonist Joe Shuster and I, who co-originated SUPERMAN together, will not get one cent from the SUPERMAN super-movie deal.

SUPERMAN has been a huge moneymaker for 37 years. During most of these years, Joe Shuster and I, who originated the character SUPERMAN, got nothing from our creation, and through many of these years we have known want, while SUPERMAN's publishers became multi-millionaires.

Full details are in the enclosed news release.

Read the enclosed material and you will get some idea of how it feels to create one of the most successful fiction characters of all time ... and be cheated out of your share of its profits.

The publishers of SUPERMAN comic books, National Periodical Publications, Inc., killed my days, murdered my nights, choked my happiness, strangled my career. I consider National's executives economic murderers, money-mad monsters. If they, and the executives of Warner Communications which owns National, had consciences, they would right the wrongs they inflicted on Joe Shuster and me.

A CURSE ON THE SUPERMAN MOVIE!

Jerry Siegel  
11711 Mayfield Avenue, Apt. 14  
West Los Angeles, California 90049  
213-826-2502

FOR IMMEDIATE RELEASE

Re: THE VICTIMIZATION OF SUPERMAN'S ORIGINATORS, JERRY SIEGEL AND JOE SHUSTER, BY:

Jack Liebowitz, Warner Communications  
National Periodical Publications, Inc.  
Independent News Company (Distributor of Superman comic books)

Jack Liebowitz, a member of the Board of Directors of Warner Communications, stabbed Joe Shuster and me, Jerry Siegel, in the back.

He ruined our lives, deliberately, though Joe and I originated SUPERMAN, which enriched Liebowitz and his associates.

Liebowitz is extremely wealthy from SUPERMAN. But Joe Shuster (the artist) and I (the writer) have received nothing from SUPERMAN's phenomenal success most of the 37 years in which our creation SUPERMAN has been a great money-maker for National Periodical Publications, Inc., which is owned by Warner Communications.

Joe is partially blind. My health is not good. We are both 61 years old. Most of our lives, during Superman's great success, has been spent in want.

How did back-stabber Liebowitz sucker us into this tragic plight? J. S. Liebowitz introduced himself to me in a letter dated December 1, 1937, in which he wrote he was giving his "definite assurance" that he would deal with me "without any trouble such as you have been experiencing in the past." Previously I had dealt with a publisher-associate of his, Major Malcolm Wheeler-Nicholson.

In 1933, while still in high school, Joe and I created SUPERMAN in our homes in Cleveland, Ohio, at our own initiative and expense. This was years before we had any arrangement or dealings with back-stabber Liebowitz or his company. For almost six years all our hopes and dreams were concentrated on working on and developing SUPERMAN. We were determined in our efforts and refused to let anything or anyone discourage us.

In 1935, Nicholson offered to publish SUPERMAN in a comic book, but Joe and I rejected his publishing offer. In 1938, Joe and I accepted Liebowitz's offer to publish SUPERMAN because of Liebowitz's written and oral assurances that we could place our trust and confidence in him and deal with him "without any trouble."

In the first year of SUPERMAN's publication, when SUPERMAN earned a fortune for its publishers and became a smash hit, Joe and I earned less than \$15.00 a week apiece from SUPERMAN.

We were paid \$10.00 per comic book page. That was \$5 per page apiece to Joe and me. When I learned that SUPERMAN was a success, like Oliver Twist asking for more porridge, I requested of Liebowitz that Joe and I be paid more than poon rates for our SUPERMAN creation.

I received the following response from the cheapskate who had assured me I would deal with him "without any trouble"...

On September 28, 1938, J. S. Liebewitz wrote to me: "Now, in reply to your letter. Frankly, when I get through reading it, it took my breath away. I did not anticipate that when I asked you to come to New York to discuss this matter of newspaper syndication, that you would want to take advantage of this visit and try to boost your price on 'Superman'."

I took the cheapskate's "breath away" by asking the businessman that Joe and I get more than \$15 a week apiece because of the success of our creation SUPERMAN.

Liebewitz continued, in his letter: "You must bear in mind, Jerry, that when we started Action Comics, we agreed to give you \$10.00 a page, which is \$4.00 a page more than anyone else is getting for any features in any of our four books. In addition, we're paying you \$9.00 and \$10.00 a page for the other four features you are drawing for us - again \$3.00 and \$4.00 a page more than we are paying any other artist. Where you get the idea that anyone was receiving \$15.00 a page I'd like to know. \*\*\* As far as the popularity poll is concerned, we have approximately 300 letters in reply to this contest. If you were so observant, you may have seen that the majority of these letters have not been opened as yet and I don't know whether 'Superman' heads the list or 'Zatara' or any other feature carried in this book. If you based the popularity of your strip on the basis of 300 replies, you are grossly exaggerating the importance of 'Superman'. Don't forget that there are 64 pages in the magazine and that there isn't any magazine being published today that can sell on the basis of any one feature, whether that feature is Pop-Eye, Mickey Mouse, or any other top-notch strip and if I thought for a moment that our magazine depended on your strip, I would certainly make every effort to avoid any such situation."

Liebewitz continued, in his letter: "As a matter of fact, we have today opened the other mail on the poll and we have found that 25% indicated 'Zatara' to be their favorite feature, 20% like 'Pep Morgan', 15% like 'Tex Thompson' and only 30% have designated 'Superman' as their favorite, the balance being scattered among the other features in the magazine, so come off your high horse."

Joe and I were earning less than \$15 a week apiece from SUPERMAN and because we wanted to earn a decent living from our creation SUPERMAN, Jacob S. Liebewitz demanded "come off your high horse."

I will continue quoting from this letter written by the man who is on the Board of Directors of Warner Communications.

Liebewitz continued, in his letter of September 28, 1938:

"IS IT POSSIBLE THAT BECAUSE WE TREATED YOU LIKE A HUMAN BEING - YOU SUDDENLY GOT A SWELL HEAD? IT MAY ALSO BE THAT YOU ARE UNDER THE MISTAKEN DELUSION THAT BECAUSE YOU CAME INTO TOWN TO A LARGE ORGANIZATION, WHICH GAVE YOU TIME AND SHOWED YOU EVERY COURTESY WHICH WOULD BE ACCORDED TO ANY BIG PERSONAGE, YOU CONSTRUED ALL THESE ACTIONS IN THE WRONG LIGHT, THAT WE WERE TRYING TO GET SOMETHING FROM YOU. THE CASE IS DISTINCTLY THE REVERSE. WE WERE TRYING TO GIVE YOU, AN INEXPERIENCED YOUNG MAN, THE BENEFIT OF OUR EXPERIENCE AND GOOD WILL, IN ORDER THAT YOU GET AHEAD IN YOUR AMBITION TO BECOME SOMEBODY IN THE COMIC FIELD.

"DON'T GET THE IDEA THAT EVERYONE IN NEW YORK IS A 'GYP' AND A HIGHBINDER AND BECAUSE YOU ARE TREATED AS A GENTLEMAN AND AN EQUAL NOT ONLY BY OURSELVES BUT BY MR. GAINES AND THE McCLURE PEOPLE, THAT WE ARE SEEKING TO TAKE ADVANTAGE OF YOU.\*\*\*"

Was it Shakespeare who wrote, "The man protesteth too much?"

Note that Liebowitz referred to me as an "inexperienced young man".

Webster's Collegiate Dictionary defines "gyp" as: "CHEAT, SWINDLER".

The same dictionary defines "highbinder" as: "A corrupt or scheming politician."

Liebowitz continued, in his letter: "The amount of increase you demand does not hurt me as much as your attitude in the entire matter. I don't want to be too harsh about it, because I realize that because of your inexperience you have made an unfair request. \*\*\* You will learn you have been very fortunate in meeting up with people who are looking out for your interest as well as their own."

In stating I was "very fortunate in meeting up with people who are looking out for your interest as well as their own" Liebowitz was again assuring Joe Shuster and me that we could place our TRUST in him.

(Joe and I had been extremely confident SUPERMAN would be a huge success because we felt we had created a character which would have tremendous appeal. I wrote in the final panel of SUPERMAN in ACTION COMICS No. 1, June, 1938 issue, the banner headline: "AND SO BEGINS THE STARTLING ADVENTURES OF THE MOST SENSATIONAL STRIP CHARACTER OF ALL TIME: SUPERMAN!")

Liebowitz wrote to me that no magazine was published on the basis of one feature: "I would certainly make every effort to avoid any such situation," and he spoke of my "grossly exaggerating the importance of 'Superman.'" Before long, SUPERMAN was published in its own magazine.

In his letter of August 16, 1938, Liebowitz wrote to me: "So you see, Jerry, we are living up to our promise to you and in time we will be in a position to capitalize on these efforts." This referred to Liebowitz's promise that he would look out after the interests of Joe Shuster and Jerry Siegel.

In his letter to me of June 8, 1938, Liebowitz wrote of "all of us" benefitting from SUPERMAN.

In his letter to me of January 23, 1940, Jack Liebowitz again stated his position that Joe Shuster and I need not worry about "rights", that we could trust him to protect our interests. He wrote: "Get behind your work with zest and ambition to improve and forget about book rights, movie rights and all other dreams. ... We'll take care of things in the proper manner."

A new SUPERMAN movie is now about to be produced. It has been publicized that National has been paid millions of dollars for the rights to produce the movie about SUPERMAN, the creation of Joe and me. Joe and I have not received one cent from these millions of dollars, though, in connection with movie rights, Liebowitz promised Joe and me, "WE'LL TAKE CARE OF THINGS IN THE PROPER MANNER."

We believed Liebowitz's assurances and his representations not to worry about rights but to rely on his personal integrity.

Liebowitz proceeded to violate our good faith, which he had aroused with his written and verbal pretestations and promises of integrity upon his part; he dealt with us unfairly, in violation of his promises to protect our interests.

In 1940 Superman appeared on radio. In 1941, Paramount Pictures began to release what eventually amounted to 18 Superman animated cartoons. In his letter of June 27, 1941, Liebowitz stated: "Under the terms of our contract you are entitled to a percentage of the net profits accruing from the exploitation of Superman in channels other than magazines. These figures for the last year show that we lost money, and therefore you are entitled to no royalties. However, in line with our usual generous attitude toward you boys, I am enclosing a check for \$500 which is in effect a token of feeling."

The book, "1953 Copyright Problems Analyzed" describes, in one of its sections, the actions and posture of unscrupulous publishers who while cheating contributors, hypocritically pretended to have hearts of gold. Here is a quote from page 33:

"Thus, the publisher was the 'GENEROUS man' who would 'take care of the BOYS'."

Liebowitz lumped himself in the aforementioned fetid category of unscrupulous exploiters when he wrote, in the letter quoted above:

"However, in line with our usual GENEROUS attitude toward you BOYS..."

In his letter dated September 11, 1945, Liebowitz wrote: "As far as radio and licensing is concerned, Kellogg's Pep is still sponsoring the program. They recently renewed for another thirteen week period and while we are not making much money through this source, we feel it has a beneficial effect in keeping the character before the public."

Liebowitz said they were "not making much money" from radio, but according to the statement of Radio and Licensing that was part of Exhibit 62 in the Westchester case, National's income from Radio and Licensing totalled \$149,323.11 for the year 1945. \$133,154.88 of that amount was from Radio.

Up until just before the Westchester trial in the late 1940s, when it was clear there would be a lawsuit, National had not even furnished annual statements to us showing income derived from subsidiary sources to which Joe and I were contractually entitled. Referee Young ruled that we were entitled to an accounting.

In July, 1943, I was drafted into the United States Army during World War II. It was at this time that National took over production of the Superman material. When I got out of the Army, National refused to return full production of all Superman material to Joe Shuster and me, though our contract specified we were to supply and furnish all Superman material. Taking the exclusive art and script production away from us against the terms of our agreement, not only injured us economically but caused us great mental distress.

During the time I was in the Army overseas, and in no position to protect my interests, Detective Comics, Inc. published SUPERBOY, which I had earlier created and submitted for consideration to Detective Comics, Inc., the predecessor corporation of National. Detective and Liebowitz published SUPERBOY without any notification or compensation to me, thus precipitating the Westchester action. Had Liebowitz kept his word and treated Joe and me ethically, instead of rewarding our talent and hard work with unfair trade practices, we would have had no difficulty and would not have been maneuvered into initiating the Westchester action in defense of our interests.

Liebowitz and associates of National (Detective) stole the character SUPERBOY from me. The court ruled they acted illegally in publishing SUPERBOY without right.

I now refer you to the Westchester case interlocutory Judgement which was "Exhibit E" to National's Answer and part of the record in the recent renewed action against National.

The Interlocutory Judgement enjoined the defendants (National) in regard to SUPERBOY, from using SUPERBOY. It declared and adjudged "that plaintiff SIEGEL is the originator and the sole owner of the comic strip feature SUPERBOY,, and that plaintiff as the originator and owner of the comic strip feature SUPERBOY has the sole and exclusive right to create, sell and distribute comic strip material under the title SUPERBOY, of the type and nature heretofore published under that title, and of the nature described in plaintiffs' exhibits 16 and 36."

I quote from the Decision of J. Addison Young, Official Referee, in the 1947 Westchester case:

"It is quite clear to me however, that in publishing Superboy, the Detective Comics, Inc. acted illegally. I cannot accept defendants view that Superboy was in reality Superman. I think Superboy was a separate and distinct entity. In having published Superboy without right, plaintiffs are entitled to an injunction preventing such publication and under the circumstances I believe the defendants should account as to the income received from such publication and that plaintiffs should be given an opportunity to prove any damages they have sustained on account thereof. The defendant, Detective Comics admit owning plaintiffs over \$3,000 for publishing Superboy but this amount is calculated on a basis not binding upon the plaintiffs. I also think that plaintiffs are entitled to an accounting as demanded in their Eighth cause of action."

In other words, it was proven in court that Detective Comics, Inc. (Liebowitz and associates) had stolen SUPERBOY from me. The Eighth cause of action concerned Detective (Liebowitz and associates) cheating Joe and me out of SUPERMAN character merchandising outcome.

SUPERBOY was stolen from me...

On September 28, 1938, Jack LIEBOWITZ wrote to me, using the words "GYP" and "HIGHBINDER" and he assured me he and his associates were not the type of corporate criminals who would be "SEEKING TO TAKE ADVANTAGE OF YOU."

Again:

Webster defines "Gyp" as: "CHEAT, SWINDLER".

Webster defines "highbinder" as: "A corrupt or scheming politician."

Liebowitz, professing high integrity, assured me in the September 28, 1938 letter, "You will learn you have been very fortunate in meeting up with people who are looking out for your interest as well as their own."

Joe and I trusted Liebowitz and Detective and National to look out for our interest. Instead, SUPERBOY was STOLEN, and Joe and I were CHEATED out of SUPERMAN subsidiary income royalties.

Also concerned in the 1947 case was Detective Comics, Inc. publishing "Lois Lane, Girl Reporter" and carrying the byline, "By Jerry and Joe", without any compensation being paid to us. In addition, Joe and I complained that Detective had unfairly competed with the creation of Joe and I, SUPERMAN, with imitative features such as Johnny Quick, The Flash, Green Lantern, Air-Wave, Hour-Man, Wonder Woman, Star-Man, Dr. Fate, Hawkman, The Ultra-Men, etc.

Back in March 1, 1940, Jack S. Liebowitz wrote in response to a letter of protest from me: "I don't agree with you that the Hour Man is a copy of Superman. It would be definitely against our better interest to have an imitation of Superman in our books, in spite of the fact that all competing magazines carry an imitation of Superman."

National Periodical Publications, Inc. is now publishing in competition to SUPERMAN, the character Captain Marvel, in the comic book SHAZAM, and the character appears on TV; years ago, National proved in court that Captain Marvel, then published by a rival publisher, had plagiarized SUPERMAN.

First National put Captain Marvel out of business for plagiarizing Superman, and now National profits from publishing that plagiarism in competition to Superman. Yet, back in March 1, 1940, Liebowitz wrote to me: "IT WOULD BE DEFINITELY AGAINST OUR BETTER INTEREST TO HAVE AN IMITATION OF SUPERMAN IN OUR BOOKS, IN SPITE OF THE FACT THAT ALL COMPETING MAGAZINES CARRY AN IMITATION OF SUPERMAN." Captain Marvel was and is an imitation of Superman.

For years, Joe Shuster and I have received NOTHING from SUPERMAN, while National has earned more wealth from publishing not only SUPERMAN, but imitations of SUPERMAN.

I repeat, Joe is partially blind, my health is not good, he and I are 61 years old.

Three of the most famous literary creations in publishing history are Tarzan (created by Edgar Rice Burroughs), Sherlock Holmes (created by A. Conan Doyle), and Superman (created by Jerry Siegel and Joe Shuster.)

Edgar Rice Burroughs and his estate profited hugely from TARZAN. A. Conan Doyle and his estate profited hugely from SHERLOCK HOLMES. Yet Joe and I have not only been cheated and ruined by National, but for most of the 37 years of Superman's publication we have received NOTHING from our creation.

And yet, we were told by Liebowitz that he and his associates were ethical and could be trusted to look out after the interests of Joe Shuster and me, Jerry Siegel.

I could write a great deal more, but this should give you an idea of the mentality of Jack S. Liebowitz who lured Joe and me into signing agreements with the assurance Joe and I were "very fortunate in meeting up with people who are looking out for your interest as well as their own", then proceeded to cheat us and destroy our happiness and careers.

The people who cheated Joe and me, as well as their heirs, enjoy the wealth SUPERMAN earned and is earning... SUPERMAN's current exploiters, including publisher, editors, writers and artists derive big incomes from SUPERMAN.

Joe and I suffer... we think of little else, and it makes us miserable to see how our families suffer, too.

So National owns SUPERMAN. But what of the two men, Jerry Siegel and Joe Shuster, who originated SUPERMAN? Is it right that we get NOTHING from the great success of our SUPERMAN creation?

Quoting from a letter written by Joe Shuster: "I had assumed, like Jerry Siegel, that when we signed with Detective, we would be dealt with fairly, that 'fair dealing' was implicit in our several agreements with Detective. We did not foresee that our creation would be taken away from us, our by-lines stripped from us, and a host of other writers and artists brought in, first to compete with us and then to replace us.

"We still find it hard to comprehend how it is possible that we, the creators of what has been called 'one of the most phenomenal success stories of the twentieth century', have been totally and completely deprived and divested of our work by a web of legal technicalities and then abandoned."

What type of mentality up at National Periodical Publications, Inc. could have done this to us and now permits such an injustice to continue? The ideals which made SUPERMAN one of the top comics properties of all time, and caused its creation... namely compassion and a desire to help the oppressed... has been turned into a money-making machine by the organization which callously ruined the lives of Joe and me and deprived us of the fruits of our creation SUPERMAN.

The Superman slogan that National has hypocritically cashed in on is "Truth, Justice and the American Way."

The people who exploit and profit from SUPERMAN are greedy and selfish. They cheated Joe and me and continue to earn more wealth while Joe and I, the originators of SUPERMAN, suffer day after day after day.

When I told Liebowitz that Joe and I were being treated unjustly economically in regard to Superman, Liebowitz tried to justify his position by stating Detective had gambled a \$30,000 investment in producing Action Comics, in which Superman was published.

I now quote from the book "1953 Copyright Problems Analyzed", in the article "Protective Societies for Authors and Creators" by William Klein II, (page 50) which casts a revealing light on the argument of a publisher with the Liebowitz mentality:

"Hollywood was (and is) a fabulous place where wealthy film producers had a lot of money to throw around. They would buy scripts outright -- you might almost say they bought the writers, too. For this they had an argument that seemed reasonable to some. They had to have all rights because of their tremendous investment in a motion picture had to be protected, not just here but throughout the world. The essence of this argument, the big investment to protect I might remark in passing, underlies the position of users in every field, whether books, radio or the like. Writers and their societies do not contest the premise that the user has a large investment. But they do contest the conclusion which is sought to be drawn namely that the only way the users' investment can be protected is by granting him all rights in the particular work. I don't think I am giving away any trade secrets by saying that I believe the basic goal of the creator -- regardless of his field -- is that he should give up only those rights which are necessary for the purpose to which the use is intended, and then only so long as those rights are used and paid for."

National paid \$130 for the first episode of Superman, then sent Joe and me a release to Superman, for us to sign. The \$130 was already owing to us for the material. The official referee in the Westchester case decided, "...the real consideration was plaintiffs' express desire and Detective Comics, Inc. concurrence in that desire to see Superman in print. When Detective Comics, Inc. accepted Supermen for publication and published it, it furnished the true consideration for the agreement of March 1st, 1938."

If merely seeing Superman in print was "consideration" enough for Siegel and Shuster to agree to publication and accept an agreement, then we would have eagerly accepted Nicholson's offer (a previous publisher), which the record shows we did not do. My statement that Joe Shuster and I had rejected Nicholson's offer to publish Superman was entered as an exhibit at the Westchester trial. It is clear that Judge Young did not notice my statement. His error of omission on a purely factual matter led to a miscarriage of justice.

For about 18 years, Joe and I sought the renewal rights to Superman, until just recently, the copyright renewal term rights.

In April of 1975, Joe and I agreed not to take our case to the Supreme Court, because we were informed by our attorney that if we did not do so, he had been informed National would then consider making a financial arrangement which would benefit Joe and me. Again, we placed our trust and faith in the good intentions, fairness and generosity of National.

It is six months since then. At this current writing, there has been nothing offered. We hope we have not been victimized into giving up our right to appeal to the Supreme Court without receiving anything in return.

Joe and I have been the victims of a monstrous injustice. The doubledealing, the chicanery, the sharp practices and guilt of National are clear.

All Joe and I can do is appeal to someone like you to do whatever you can to aid our cause, and for us to publicize our plight.

The copyright law, which provides for two separate terms of 28 years, was enacted to protect creators, such as Joe and me, from the type of situation we are in.

The creation of SUPERMAN, more than any other single event, was responsible for the comic book business as it exists today, creating employment for artists, writers, editors, executives, and others connected with comic book publishing.

Since his first appearance over 37 years ago, our character SUPERMAN has been known as a symbol for JUSTICE, the champion of the helpless and oppressed, the physical marvel who had sworn to devote his existence to helping those in need.

We, the creators of SUPERMAN, believe it is time for the publishers of SUPERMAN to end the great iniquity and injustice, which now exists. Joe Shuster and I shall not rest in our present position.

You hear a great deal about The American Dream.

But SUPERMAN, who in the comics and films fights for "truth, justice and the American Way", has for Joe and me become An American Nightmare.

What led me into conceiving SUPERMAN in the early thirties?

Listening to President Roosevelt's "fireside chats" ... being unemployed and worried during the depression and knowing hopelessness and fear. Hearing and reading of the oppression and slaughter of helpless, oppressed Jews in Nazi Germany...seeing movies depicting the horrors of privation suffered by the downtrodden...reading of gallant, crusading heroes in the pulps, and seeing equally crusading heroes on the screen in feature films and movie serials (often pitted against malevolent, grasping, ruthless madmen) I had the great urge to help...help the despairing masses, somehow.

How could I help them, when I could barely help myself?

Superman was the answer. And Superman, aiding the downtrodden and oppressed, has caught the imagination of a world.

But for most of 37 years the incredible wonder of SUPERMAN, his ideals, his accomplishments, have been turned around, like in a ghoulisn farce, not only against me, but Joe, too, who had conceived the physical, mystical form of SUPERMAN in his artwork.

Superman's publishers have mercilessly gouged Joe and I for their selfish enrichment, stealing our incomes and careers from us derived from Superman, because of their greedy desire to monopolize the fruits of the Superman creation. I can't flex super-human muscles and rip apart the massive buildings in which these greedy people count the immense profits from the misery they have inflicted on Joe and me and our families. I wish I could. But I can write this press release and ask my fellow Americans to please help us by refusing to buy SUPERMAN comic books, refusing to patronize the new SUPERMAN movie, or watch SUPERMAN on TV until this great injustice against Joe and me is remedied by the callous men who pocket the profits from OUR creation. Everyone who has enjoyed our creation SUPERMAN and what he stood for, those of you who believe that truth and justice should be the American Way, can help us.

I repeat, Captain Marvel was branded plagiaristic in court. Fawcett Publications had originally published Captain Marvel. National put Captain Marvel out of business for plagiarizing SUPERMAN, and now National cashes in on that plagiarism by publishing Captain Marvel in the SHAZAM comic book in competition to SUPERMAN. The following is quoted from "Copyright Decisions, 1951-1952", Pg. 251, National Comics Publications, Inc. v. Fawcett Publications, Inc., et al:

"L. HAND, Circuit Judge. \*\*\* The judge\*\*\* On the other hand he found that, in publishing the exploits of 'Captain Marvel' in 'Whiz Comics' and its other magazines, 'Fawcett' copied from 'strips' - a 'strip' consists of a series of pictures carrying legends - which had appeared in 'Action Comics', and had done so with the degree of detail which in Detective Comics v. Bruns Publications, 2 Cir., 111 F.2d 432, we found to infringe earlier copyrights of 'Superman' by another plagiarist. The evidence does much more than show that this finding was not 'clearly erroneous'; IT LEAVES NO POSSIBLE DOUBT THAT THE COPYING WAS DELIBERATE; INDEED IT TAKES SCARCELY MORE THAN A GLANCE AT CORRESPONDING 'STRIPS' OF 'SUPERMAN' AND 'CAPTAIN MARVEL' TO ASSURE THE OBSERVER THAT THE PLAGIARISM WAS DELIBERATE AND UNABASHED."

As far as Joe and I are concerned, we have been victimized by evil men and a selfish, evil company which callously ruined us and appears to be willing to abandon us in our old age, though our creation SUPERMAN has made and continues to make millions for them. Newspaper articles state National was paid \$3,000,000 for the rights to make the SUPERMAN movie and that \$15,000,000 will be spent to produce the movie.-And the originators of SUPERMAN, Jerry Siegel and Joe Shuster, are not to recieve one cent.

WHAT AN INFERNAL, SICKENING SUPER-STENCH EMANATES FROM NATIONAL PERIODICAL PUBLICATIONS, INC. We hope the public will never forget this when seeing the SUPERMAN character, or National Periodical comic books. Do not patronize SUPERMAN because of this injustice.

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