ROY THOMAS' FOXY COMICS FANZINE

Alter Ego™

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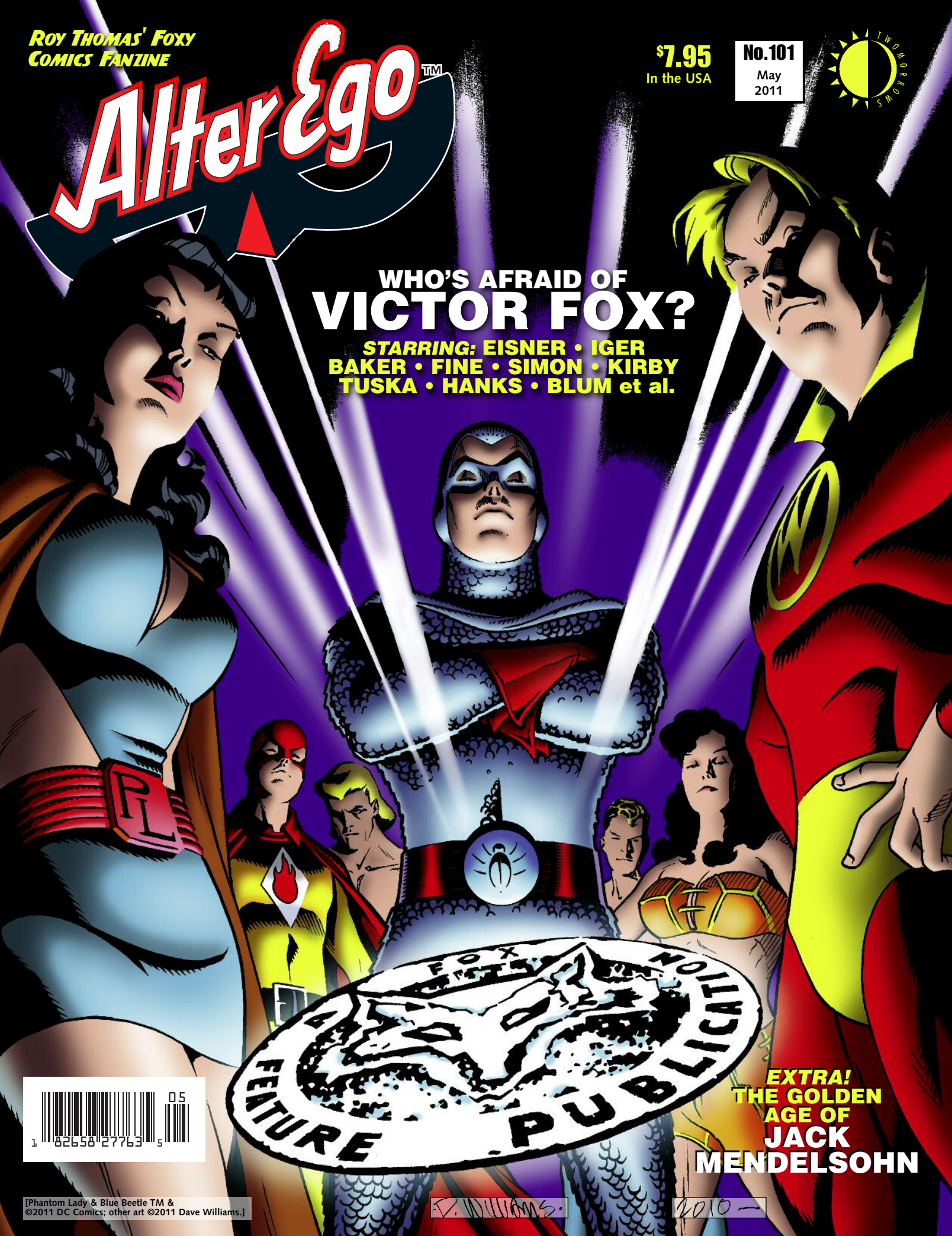
No.101 May 2011

TWOMORROWS

WHO'S AFRAID OF VICTOR FOX?

STARRING: **EISNER • IGER BAKER • FINE • SIMON • KIRBY TUSKA • HANKS • BLUM et al.**



EXTRA! **THE GOLDEN AGE OF JACK MENDELSOHN**

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Vol. 3, No. 101 / May 2011

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On Our Cover: *Recently, alert reader Greg Whitmore sent us a commission drawing done for him by pro artist* **David Williams**, *who has drawn such features as* Batman: Legends of the Dark Knight *and* X-Men: First Class *(though not* Spider-Man, *as we mistakenly wrote last issue). Ye Editor contacted David, who was kind enough to pencil and ink a grouping of 1940s Fox Comics heroes for us, complete with a nice angle on the most aesthetically pleasing of the company's logos. To contact David, see p. 74.* [Blue Beetle & Phantom Lady now TM & ©2011 DC Comics; art of Wonder Man, The Flame, Samson & David, & Rulah ©2011 David Williams.]

Above: *Okay, so Blue Beetle and Phantom Lady are the longest-lasting heroes launched by Victor Fox's 1940s line… and The Wonder Man raised the first super-hero brouhaha as early as '39—but in the last few years it's been the mysterious and unique artist* **Fletcher Hanks** *and his creations, especially "Stardust," who've caused the biggest stir, seven decades after the fact—thanks to a pair of books by Paul Karasik (as noted on p. 17). So we decided Stardust belonged on our contents page. Thanks to Paul for this panel from* Fantastic Comics *#11 (Oct. 1940). Believe it or not, the hoodlum above was still* alive *in the next panel!* [©2011 the respective copyright owners.]

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FIRST PRINTING.

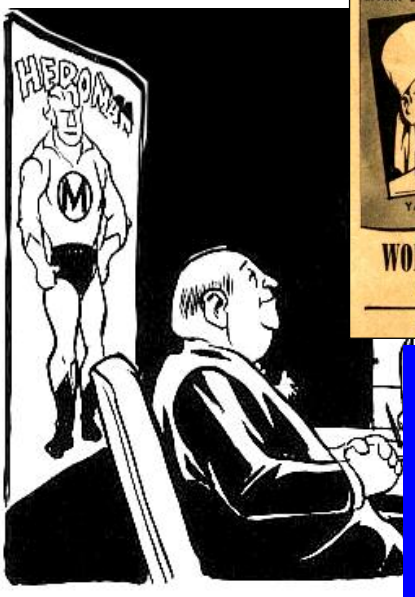
The Education Of Victor Fox

Number Eight In The Series "All In Color For A Dime" (1962)

by Richard Kyle

Editor's Introduction: *As I stated back in* A/E *#20's extensive coverage of Dick & Pat Lupoff's landmark science-fiction/comics fanzine* Xero *and its seminal comics history/nostalgia series "All in Color for a Dime," Richard Kyle's article "The Education of Victor Fox" in* Xero *#8 was in many ways the best of the lot. And that's going some, since it had competition from "AICFAD" pieces written by Don Thompson, Ted White, Jim Harmon, and Lupoff himself, among others. Most amazing about Kyle's piece was the way it carried you along with it even while, by his own admission, the author was making deductions on the fly about a little-known, long-defunct comics company and its enigmatic publisher. When I finished reading the article that day in 1962, I felt as if I'd been given a guided tour of both Fox Comics—and the devious mind of its somewhat shady head honcho.*

In the second half of the '60s, when I'd become a Marvel writer and editorial assistant, I learned from production manager Sol Brodsky that he had once worked for Victor Fox. I loaned him my copy of Xero *#8 and suggested he read its article on Fox Comics. He did—and he told me a few days later that he felt Richard Kyle had captured what Sol felt was the essence of both seedy publisher and seedy comics company. It was high praise—for a considerable accomplishment.*



For all the reasons suggested above, I decided that, even though Bill Schelly had reprinted the vintage study in his trade paperback Comic Fandom Reader *(Hamster Press, 2002), "The Education of Victor Fox" should be re-presented in the pages of* Alter Ego, *just as originally published—though with* beaucoup *art from the original comics, while the 1962 version was accompanied only by a few mimeographed drawings. It would be reprinted not simply as an example of primo comics nostalgia from nearly a half century ago—for I could easily add tidbits from the mound of information learned about Fox Comics since 1962—but as a blueprint of how to write stirringly and evocatively and even informatively about a comics line and its chief puppeteer—even if you have zero inside information and are simply inferring from a handful of decades-old comics to which you happen to have access. How to write that way, that is… if you happen to be Richard Kyle.* **—RT.**

The Quick Bruns Fox

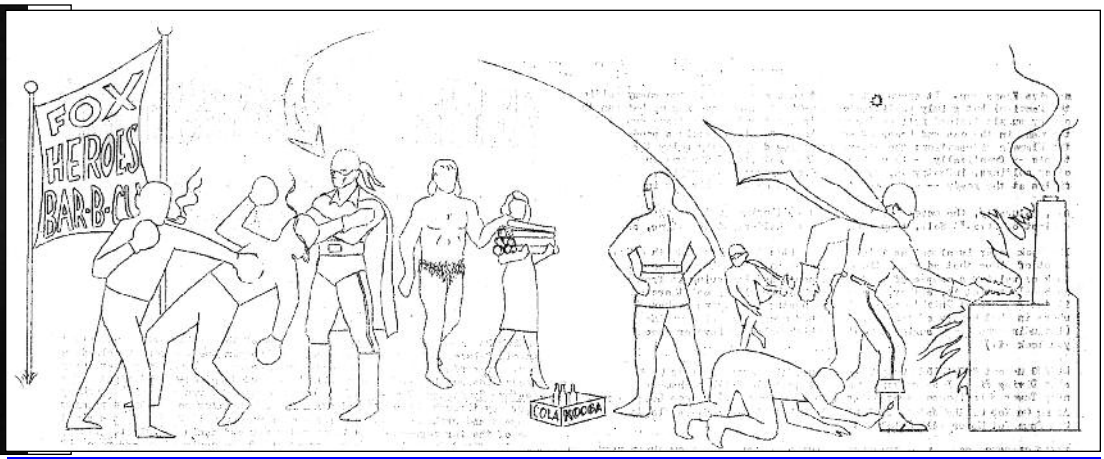
Victor Fox—or rather, his *roman à clef* dopplegänger "Vincent Reynard" in Will Eisner's 1985 graphic novel *The Dreamer*—eyes a house ad from *Mystery Men Comics* #10 (May 1940) which showcases Fox Comics'/Bruns Publications' brightest stars plus a few minor asteroids. As to which of these stalwarts is represented by "Heroman" on the poster behind Reynard, the answer is: none of the above. For *his* secret identity, see Ken Quattro's article "Superman vs. The Wonder Man 1939," which begins on p. 27. Thanks to Michael T. Gilbert. [*Dreamer* art ©2011 Will Eisner Studios, Inc.; Fox art ©2011 the respective copyright holders.]

2011 Introduction by the Author: *Sometime in late 1961, on a warm day in a small town on the edge of the California desert, a Post Office truck pulled up in my driveway. The driver beeped his horn, called out, "Got something for you, Richard!" and dropped a cardboard box in my arms.*

A couple of months earlier, I had seen a review of Xero, *a new science-fiction fanzine that also published articles on old comic books, and had immediately sent off for a sample copy. It arrived with surprising swiftness. A subscription and a long fan letter to Dick and Pat Lupoff, its editors and publishers, were in the mail the next day.*

Until that copy of Xero *4 arrived, I had no idea of how much I missed comic books. Like a lot of adults, I'd stopped reading them after EC Comics closed up shop in the face of Comics Code Authority censorship. Now* Xero *had made me realize how much I'd loved them—trashy, sensational, or merely great.*

Dick's response to my first letter was to ask for an article on the Fox Comics line—I'd reminisced about the early issues of Wonderworld



Barbecued Fox

(Left:) Richard Kyle in 1961. Reprinted with permission from Bill Schelly's 2010 study *Founders of Comic Fandom*.

(Above:) Under the pen name "Jim Moriarty," Richard provided several illustrations for "The Education of Victor Fox" in *Xero* #8 in 1962—including the above fanciful "Fox barbecue party," which was accompanied by this legend:

"Who's who at the bar-b-cue: With Green Mask looking on, 'News' Blake (with pipe) and 'News' Doakes (with cigarette) decide who'll be the Mask's aide. Pipesmoking Blake clearly has the inside track. In the background, Samson and Joan Mason, Blue Beetle's girl friend, return from a firewood hunting expedition. While Blue Beetle jealously awaits Joan, Domino (clutching a bottle of pop from a case he's just filched at a deserted soft drink stand nearby), the Green Mask's boy assistant, miffed because the Beetle has been upstaging them in *Mystery Men Comics*, tries to conk him on the head with his boomerang. As usual, it goes astray, and Green Mask is going to get it in the neck again. At the barbecue, the Flame, his Flame Gun set on full automatic, is attempting with little success to get the charcoal burning. Meantime, Rex Dexter of Mars, tempted beyond human endurance, prepares to give the Flame a hotfoot. That bright star shining above the Flame heralds Stardust the Super Wizard, who is travelling as usual on highly accelerated light waves. Stardust is in a quandary. He has perceived Dexter's dastardly intent but he left his Hotfoot Extinguishing Ray at home, and his all-purpose Fire Extinguishing Ray would put out the barbecue as well. Decisions. What's for barbecue? Fox, of course...."

Comics *with their covers and stories drawn by "Basil Berold"—and to arrange for Cleveland comics fan, collector, and dealer Bill Thailing to ship me all the Fox issues that he had in stock.*

It was a curious experience, going through that box of comics. More than twenty years had passed since I'd seen a lot of them. Some I remembered with photographic accuracy. Some I didn't remember at all. The drawing by "Basil Berold" (actually, the great Lou Fine) was everything I remembered and more. But then, I now remembered, he had left Fox Comics and "The Flame" after only a few issues, and a very different line of Fox Comics had emerged.

And that left me with a problem.

For a time, I didn't know what to write. Except for those earliest issues, I couldn't write a nostalgia piece. And how did I tell about what I'd found in that box? Then, as I stared at the pile of yellowing magazines, I realized that I wasn't looking at a stack of old comic books. I was looking at a man's life.

I've corrected a grammatical error, deleted two or three excess words, and fixed a few typos. Otherwise, "The Education of Victor Fox" is as it appeared in Xero *8 for May 1962.* **—RK.**

... the education of Victor Fox

I.

Somewhere among the backwaters and bayous of the comic world must stand an old false-fronted shack, roofless, broken-windowed, almost tumble-down now, overgrown with weeds and musty with decay. Hanging precariously above the sagging front door will be a faded and checkered sign: "*Fox Feature Syndicate*, Victor S. Fox, Owner & Prop." If you go inside, pushing your way through the weeds and the empty cola bottles and mildewed premium coupons and broken cameras and rusty cap guns, you will find heaped against one of the far corners, and interrupted now and again by taller, wider, *Esquire*-sized magazines, a ragged stack of old comic books—none of them well preserved, not even the newest issues. In fact if you thumb through them, you will notice a peculiarity of the climate here. Only the older magazines are in passable condition, the newer ones are the ones that smell of decay.

By now, you'll probably have seen enough to satisfy you. You'll edge your way back to the door and watching the sign doesn't drop on you you'll shake your cuffs and then you'll go on your way

You shouldn't. You should stay a while. Something important happened here…

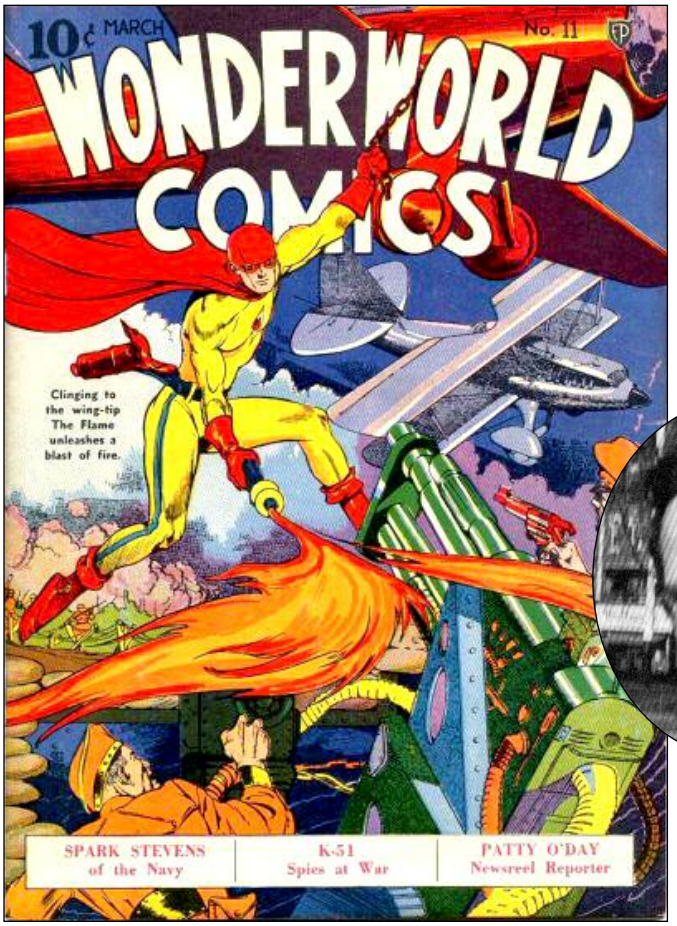
In April 1939, just a few days short of one full year after Superman had picked up his first automobile, Fox Publications, Inc., issued *Wonder Comics*, the pilot model of the Fox chain, shortly to become *Wonderworld*. By the end of 1941 Victor Fox was publishing a string of nine comic books, had placed one of his heroes on radio coast to coast, was competing monthly with *Esquire* in a men's magazine featuring such writers as Jerome Weidman, Chester B. Himes, and Irving Wallace, and was energetically promoting a "new thrill" soft drink containing vitamin B1.

Offhand, you'd say Victor S. Fox was a success.

Wonderworld certainly was, anyhow. At a time when most comic book art was cartoonish, *Wonderworld*'s feature, "The Flame," was rendered with a skill and style that has seldom been surpassed—maybe it never has. And mixed in with the usual hack work of the period were such strips as "Yarko, the Great – Master of Magic," "Spark Stevens – of the Navy," and "Dr. Fung – Master Sleuth of the Orient," all substantial secondary features.

None of them were great characters, and only the Flame was a memorable one—but the other day, when I came upon them after an absence of more than twenty years, I recalled each one with a fidelity that nostalgia alone cannot evoke. A world that is gone came back to me.

It was the eleventh issue, March 1940…. The cover, of course, was by



A *Fine* Romance

It's well known today by aficionados that the "Basil Berold" who drew the "Flame" story in *Wonderworld Comics* #11 (March 1940), as well as this cover, was none other than the brilliant Lou Fine—who's seen at right in a photo taken by his friend and fellow artist Gill Fox, circa 1942. In the early '60s, however, few comics fans knew Fine's name—but he'd long been a legend among his fellow professionals, though he had long since abandoned comics for advertising. Thanks to the Grand Comics Database (see ad on p. 78). For more on Fine, see especially *A/E* #17. [©2011 the respective copyright holders.]

the illustrator of "The Flame." His name was given as Basil Berold, and because it is a curious name, it may have been his real one. (Most of the pseudonymously drawn Fox strips were signed by good old American-sounding names, no matter what the artists really called themselves. Floyd Kelly, Charles Nicholas, and Arthur Dean were, at one time or another, actually George Tuska, Larry Antoinette, and S.R. Powell.) As usual, the cover was marvelously complex and beautifully rendered.

In the upper-left, the Flame, clad in his skin-tight yellow uniform and the distinctive red mask that fitted snugly over his eyes and head, his red, calf-length boots striding in the air, his red cape billowing behind him, dangles by one gauntleted hand from a chain thrown over the side of his speeding airplane as it roars through the logotype. In his free right hand, drawn from its red, cylindrical holster is the massive Flame Gun. It spews out a great comber of fire at two enemy soldiers and at the fanciful but grimly realistic cannon-sized weapon rearing up between them, its stubby muzzle trained full on the Flame's chest and on the flame symbol there. One of the men, in the cap and brass of an officer, futilely levels a ponderous hand gun on the Flame's mid-section; the other, crouching desperately below the searing fire, attempts—frantically—to manipulate the controls of the weapon. In the background, other soldiers, infantrymen, race toward him across the smoking, barbwired battlefield, rifles at the ready—and a metallic-blue enemy plane circles in toward the kill.

And, naturally, the cover caption reads: "Clinging to the wing-tip the Flame unleashes a blast of fire." Well, they managed to be half-right this time, anyhow....

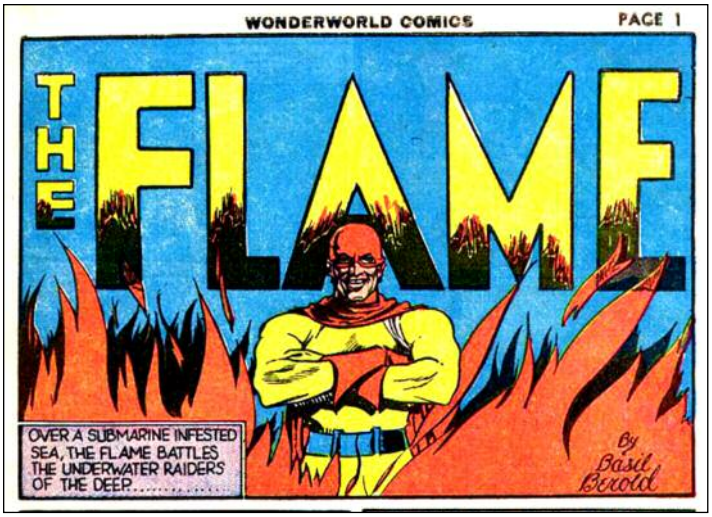
The back cover is almost as interesting. It's the Johnson Smith & Co. advertisement. A lot of times that ad meant the difference between putting down a dime for a comic book or waiting a couple of weeks or a month and borrowing it from a friend, or—if he hadn't bought it, either, because the ad was old or not there at all—trading for it two for one at Chick's or Dave's or Chester's Magazine Exchange down on the avenue, where in that heyday of the pulps they had every kind of magazine you could name. (Including the *Spicy* series of pulps, which Chick or Dave or Chester wouldn't let you look at.)

DIVING U-boat SUBMARINE … Only $1.19 … Powerful … Dives or Rides On & Under Water … Adjustable Diving Fins … Ice Breaker Rudder … Adjustable Ballast Chamber … Realistic Gun … Conning Tower & Periscope … Grey Color with Trimmings … 10½ Inches Long… A real beauty … Zips Along On Top Of the Water, Will Dive or Raise Itself and Travels Under Water By Its Own Powerful Motor … All Metal...

FIELD GLASSES … 25¢ … *Live* CHAMELEON … BUILD FLYING PLANE FROM CHEAP PARTS … Fly

Live Chameleons, Anyone?

This Johnson Smith ad took up the entire back cover of *Wonderworld Comics* #9 (Jan. 1940)—and the one Richard Kyle mentions from #11 wouldn't have been much different. These ads lasted in comics for several decades. Thanks to Michael T. Gilbert for the scan. [©2011 the respective copyright holders.]



I Just Want To Start A "Flame" In Your Heart

Since, in his article, Richard Kyle is doing an exemplary job of recounting the "Flame" tale in *Wonderworld Comics* #11, we figured we'd show you "Basil Berold's" splash panel from two months earlier: issue #9. The Grand Comics Base lists the scripter as future *Spirit* writer/artist/creator Will Eisner. Thanks to Michael T. Gilbert. [©2011 the respective copyright holders.]

Your Own Plane! Books of plans telling how to build a low priced plane from junkyard parts. 10 lesson Flying Course Ground School. Price 25¢.

Johnson Smith & Co would sell you anything your childish mind could conceive of. And in the very small print some things it couldn't. DANCE HALL TO WHITE SLAVERY … Thousands of white girls are trapped into white slavery every year. Explains in vivid detail true stories of devilish schemes to lure innocent young girls. Price 25¢. LIVES OF HOTCHA CHORUS GIRLS … 10¢. Yes, the Johnson Smith & Co. advertisement was always in the back of your head when you plunked down your dime. A new ad must have been looked forward to eagerly by every publisher in the business....

The inside front cover listed the winners of a recent contest—the early Fox comics had contests at the drop of a beanie—and Norma Richerson, Box 86, Hardesty, Oklahoma, was the first-prize winner. Across from this announcement was the first page of "The Flame"….

"The Flame's" flash panel, embellished with a medium-sized "The" in script and a huge "lame" in-a vaguely Eastern style of lettering, a noncommittal "by" and an Old English "Basil Berold"—as well as a minor forest fire of flames and a bust drawing of the Flame himself—contains the legend:

> "Greedy for power and territory, King Rodend, ruler of the tiny Balkan country of Kalnar, sends his forces against the peaceful kingdom of Dorna, an act that threatens to throw the entire world into war...."

And then the story begins. It is not the usual Flame story of giant metal man-carrying spiders attacking New York and climbing through the city as though it were a collection of twigs, or of an invasion of supertanks capable of boring their way through any obstruction; this one tells of his origin as well—and even the eight-panel page of the time (today's six-panel page was not yet standard) allows little elbow room for the usual dramatic complications. I'm going to tell it to you, however, for it could serve as a virtual template for the early Fox comics. And what fascinated us, in another time, should always interest us, now.

At intelligence headquarters in the capital of Dorna two uniformed figures pace the floor: an elderly, white-burnsided man, tall and erect; and a young and beautiful blonde girl. Wearily, the man turns to his companion. "I'm afraid, Maria, that our forces haven't a chance."

"Why? Because of Rodend's fire cannons?"

"Exactly! Nothing can stop them! Asbestos burns like thunder before them."

"I know just the one to stop them." Maria clenches her fists. "The Flame!"

"The Flame? What do you mean?"

"Listen," Maria says, "I'll tell you his story...."

Twenty-five years ago in the Chinese city of Ichang, close by the Yangtse River, a son was born to the Reverend Arnold Charteris and his wife. In season, the river became a flood, and Charteris, knowing the end was near, placed his son in a basket, put a small locket around his neck, and set his makeshift cradle upon the water.

After hours of tossing and bobbing on the swirling current, the tiny basket, swept swiftly along through the raging storm, suddenly disappeared into a small cavern opening. Into the murky depths it sped, finally coming to a country overrun with exotic flowers and plants growing in wild confusion. "I hear a baby's cry! It comes from that basket in the river! By Tao! It's a baby! Sent by the gods to succeed our recently deceased Grand Lama!" Picking up the foundling, the Buddhist priest hurried to his lamasery. "Look, Brethren! Heaven has given us a new leader!"

The child grew into manhood. For hours, he jousted and wrestled with the other youths, strengthening his naturally powerful body; and in feats of magic, too, his prowess far excelled that of his teachers.

One day, a band of explorers, one of them Maria, stumbled upon the Utopian valley. "May I see that locket you are wearing?" a visitor asked the High Lama. "W-why, it contains a picture of the Reverend Charteris! Remember him, James? He was drowned in the flood—say, this must be his son!"

Two hours later, after they had spoken to the priest who found the child, young Charteris was called to the old man's study. "Your place is in the outer world, my son! You must go! Tonight I will reveal to you my most potent secret of magic—tonight, you will be given the power over flame!"

That night a great procession filed its way from the palace, led by the son of the Reverend Charteris, still clad in the blue robes of the High Lama. Behind him, at the head of the train of monks, the old priest walked, bearing a golden ceremonial cushion. Striding between two jade pillars, from whose crests burned twin white flames, they ascended to a broad marble dais lying at the feet of a massive, towering green Buddha. The priest kneeled upon the golden cushion and gestured, and as layers of smoke began to form in the air about them, young Charteris removed his robe of office and stood waiting for his trial and investiture.

The old man raised his arms. Charteris—clothed in white fire, entwined in the layers of curling smoke—soared upward above the face of the huge idol. Transfigured, he grew larger and larger, until he dwarfed the priest below him. Green rays of energy burst from the staring Buddha, and for a time, Charteris became one with the flame. Then it was over. Power greater than any other man's was his. He was the master of flame.... The next day the old man and his pupil exchanged farewells. "My son, you leave us armed with potent mystic powers—use them for good!"

"It will be so!"

Maria concludes her story, "So you see, the Flame is the one man who can help us! He will do as I ask...."

Suddenly the door is thrown open and a tall, muscular man strides

Scope This!

This ad for the hapless Comicscope appeared on the back covers of numerous Fox comics in the early 1940s. Thanks to Chet Cox. [©2011 the respective copyright holders.]

the Fox magazines at the time) and fifteen cents "to cover the cost of mailing." A friend of mine tore the coupons out of magazines in a secondhand store, sold a grocer back some pop bottles he'd just pilfered from the storeroom, and sent away for the new amazing invention. He got his money's worth.

The "Comicscope" was a flat chunk of cardboard, brightly and crudely printed with pictures of the current Fox heroes, which could be folded into a small box; and a glass lens as lumpy as the bottom of a pop bottle, and a fourth the size, inserted into a short black cardboard tube. When the box was assembled there was a hole in the front for the lens and one in the bottom for a light bulb, and a slit in the side to push the sample Comicscope strips through. It worked—once you'd sealed up all the gaps in the seams of the box with masking tape and squeezed into the blackest closet you could find—but it was hardly worth it. The Comicscope strips were abominably drawn and printed; not in full color, but in red and black on a saffron background. You couldn't use regular comic strips, naturally, because the printing came out backwards, and besides, who'd want to cut his comic books in little ribbons about two inches wide?

Why Fox peddled the Comicscope is a puzzle. There was obviously no money in it—the fifteen cents must *really* have gone for handling and mailing costs—and although new Comicscope strips cost a fair amount, they were so crummy it is hard to believe Fox had any genuine expectation of selling them. The Comicscope must not have boosted sales for his comic books, either, for you almost never saw an old *Wonderworld* with one of the coupons missing. Of course, he may have used the names of those who answered for an advertisers' sucker list, but the chain carried so little outside advertising even this seems unlikely.

The real answer is probably that Fox was a promoter. Promoters will promote things, even when there's no money in them, just to keep their hands in—rather like Dr. Snaffleblocker, the Hollywood physician in one of Jack Woodford's rare non-sex novels, who was discovered as the story opened performing an abortion on a chipmunk....

And finally, the back inside page carried ads for two new Victor Fox comic books, *Science Comics* and *Weird Comics*. Further along, we'll take a brief look at them.

This was the eleventh issue of *Wonderworld Comics*, March 1940.* A year earlier the competition hadn't been as stiff. But now things had changed. Superman was appearing in a quarterly all his own. So was Batman. Captain Marvel was just getting off the ground. The Human Torch and Sub-Mariner (we called him "Submarine-er") were going great guns. Jay Garrick had breathed the hard water formula and become the Fastest Man Alive. And yet, because of Berold and because in 1940 we still responded to fragments of the beliefs and feelings and attitudes of the 19th century that *Wonderworld* exploited, the book, if it had lost ground, remained far more thrilling and competitive than a present-day comparison with the other—the mainline—comics would seem to allow. We took Superman's and Batman's and the others' way of looking at things with us (as they took ours). We didn't take Yarko's or K-51's or Dr. Fung's or even much of the Flame's.

But in its day, it was a good comic book. And it was the best of the Fox chain.

* After this article was completed and in Dick Lupoff's hands, I discovered a letter by Ron Graham in *Alter-Ego*, a comic book fan magazine published by Jerry Bails of Inkster, Michigan, indicating that *Wonderworld Comics* had an earlier incarnation as *Wonder Comics*, and featured "Wonder Man" rather than "The Flame." Neither my memory nor the great stack of Fox comics Bill Thailing had lent me were of any help. I asked for more information from Mr. Graham, and he referred me to David Wigransky of Washington, D.C. Here is Mr. Wigransky's reply:

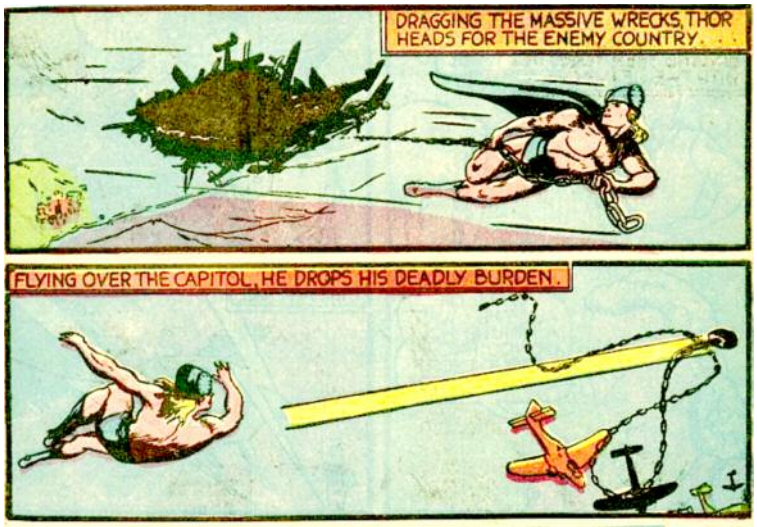
"I had the first issue, May 1939, of *Wonder Comics*, which was also the first Fox Publications Inc. comic book. I lent it to Monte F. Bourjaily (head of the comic art studio which illustrated most of the Fox comics of that time: 1939-41) about six years ago, and he never returned it. The numbers and dates were consecutive, so that none were skipped when it became *Wonderworld Comics* and starred 'The Flame' rather than 'Wonder Man.' However, I don't know the exact issue the change took place.

"'Superman,' of course, began in *Action Comics* #1, June 1938, so I think 'Wonder Man' was the *second* superhero in comic books (or at least tied with 'Batman' which I think also began in May 1939 in DC's own *Detective Comics*.

"Bourjaily told me DC Comics filed suit against Fox Publications, claiming 'Wonder Man' infringed upon their character 'Superman.' And even though they were successful, I guess by the time the case was won there were so many and varied superheroes springing up that they decided any more suits of the kind would be ridiculous.

"'Wonder Man' (or, I think, 'The Wonder Man,' with 'The' in fine print) was more of a 'Superman' imitation than the others, I guess, as his alter ego was also that of a newspaper reporter. He had blond hair, and an all-red costume (the belt may have been yellow). All I recall about the costume is a short cape, a little less than waist-length. The strip was illustrated by Will Eisner, though I'm sure he signed a pen-name, which may have been the phonetic 'Willie Nerr' (anyway, I do know he used 'Willie Nerr' at some time). 'Wonder Man' had about the same powers as 'Superman,' I should say—although they weren't gone into as thoroughly,

[*Footnote continued on next page*]

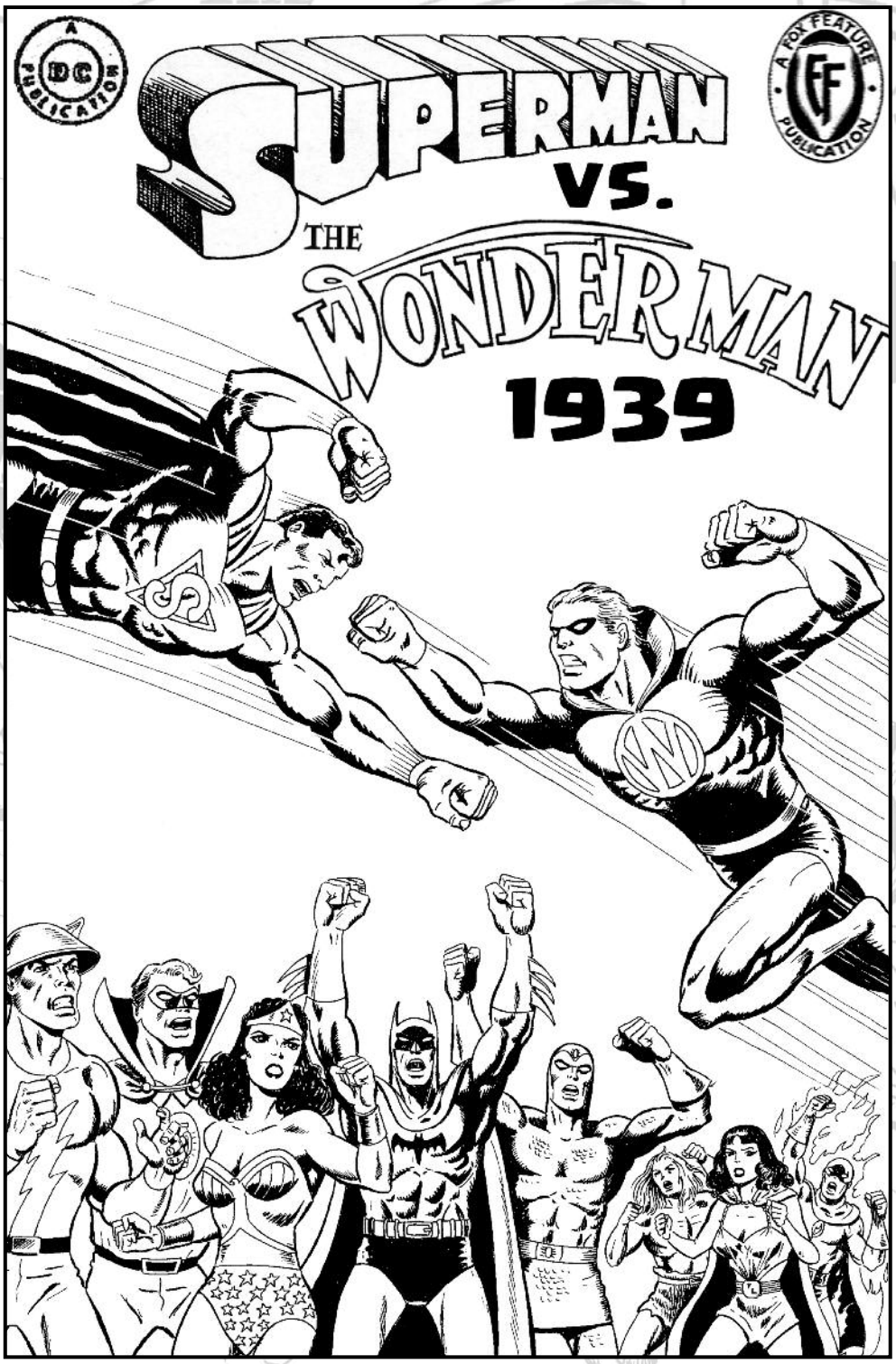


A Wall Of *Weird*

Weird Comics contained a variety of features, a couple of them pretty—well—weird. (Clockwise from top left:)

"Thor" from *Weird* #2 (May 1940), drawn by Pierce Rice & Arturo Cazaneuve, bore some resemblance to his Marvel successor; thanks to Michael T. Gilbert & Will Murray for the scan (and see Will's extended coverage of the first four-color thunder god in *A/E* #74)...

"Blast Bennett" drawn by Don Rico & "Typhon" (artist unknown), both from *Weird* #5 (Aug. 1940), were standard *Flash Gordon* wannabes... while Louis Cazeneuve's "The Dart," in the same issue, was a run-of-the-mill super-hero, complete with kid sidekick; with thanks to Jim Ludwig for these three scans and the next. Louis, by the way, was Arturo's brother. []



Or, To Put It Another Way—DC Comics Vs. Victor Fox

by Ken Quattro

When Titans Crash

Superman and The Wonder Man about to meet head-on—a symbolic representation of the April 1939 court battle between Detective Comics, Inc. (DC), and Bruns Publications (soon to be known as Fox Comics) and its two distributors. Thanks to Shane Foley for ably adapting the Ernie Chan/Frank McLaughlin cover of *Justice League of America* #137 (Dec. 1976). Of course, except for The Batman, who'd debuted in *Detective Comics* only a couple of months before the hearing, none of the colorful stalwarts seen in Shane's masterful re-rendering even *existed* when the DC/Fox case was heard and decided. [Superman, Superman logo, Batman, Flash, Green Lantern, Wonder Woman, and now Blue Beetle & Phantom Lady TM & ©2011 DC Comics; Wonder Man, The Flame, & Samson TM & ©2011 the respective trademark & copyright holders.]

Anxiously watching the looming smash-up above are Billy Eyron & Vince Reynard on the right (caricatured stand-ins, respectively, for writer/artist Will Eisner and publisher Victor Fox), and Donny Harrifeld and "Jake" on the left (stand-ins, respectively, for DC publisher Harry Donenfeld and his business manager and future co-publisher Jack Liebowitz). These four heads—and the thinly disguised names—are from Will Eisner's *The Dreamer*, the *Spirit* creator's 1985 graphic novel *roman à clef* recounting his early days in the comic book industry. With thanks to Michael T. Gilbert. [©2011 Will Eisner Studios, Inc.]

"*The truth is rarely pure and never simple.*"
— Oscar Wilde

Author's Introduction

Will Eisner is my hero.

The above statement will surely come as no shock to anyone who has spoken to me about comics for more than five minutes or read any of my many articles or posts related to the man. To me he was a Promethean figure: creative, farsighted, and flat-out brilliant. The fact that he was one of the few comic book creators to come out of the Golden Age financially well off says as much about his business savvy as his artistic instincts.

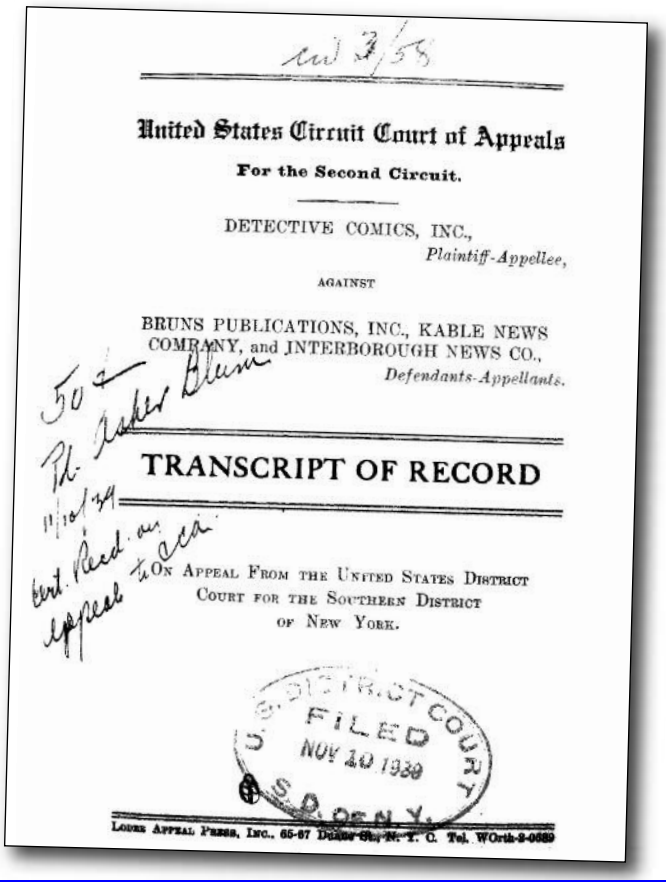
I've admired, too, his apparent honesty. In a time when the comic industry was dominated by publishers with shady—if not criminal—pasts, Eisner played it straight. Nothing spoke more to his integrity than the story of his testimony in the groundbreaking lawsuit officially known as *Detective Comics, Inc. vs. Bruns Publications, Inc.*, *Kable News Company*, and *Interborough News Co.*; but, more to the point, it was DC Comics vs. Victor Fox.

Fox had taken note of the spectacular sales of *Action Comics* and, hoping to catch the coattails of the monthly magazine's lead feature, he contracted the Will Eisner/Jerry Iger comics shop to produce an imitation Superman. As the story goes, Eisner had his misgivings. He told interviewer John Benson for his 1979 fanzine *Panels* (pp. 10-11):

> *Iger made a very convincing argument, which was… that we were very hungry. We needed the money badly. When the first sequence was finished, Fox decided he wanted to put the title on and he called it, strangely enough, Wonder Man.…*
>
> *I suppose, when you're young, it is easier to adhere to principles. At any rate, when I did get on the stand and testified, I told the truth, exactly what happened.*

According to his version of events, Eisner's confessional testimony led to DC winning the suit and Fox subsequently punishing the Eisner & Iger shop by failing to pay them $3,000 for the work they had produced for him. This inspirational story fascinated me and prompted me to search for the transcript of the case. For years I tried contacting sources in New York City, where the case was heard by District Judge John M. Woolsey on April 6 and 7, 1939. I even imposed upon a Manhattan lawyer to see if he had access that I couldn't get. All to no avail. The transcript was apparently lost forever.

Then, out of nowhere, I received an e-mail from a person who


United States Circuit Court of Appeals

For the Second Circuit.

DETECTIVE COMICS, INC.,
Plaintiff-Appellee,

AGAINST

BRUNS PUBLICATIONS, INC., KABLE NEWS COMPANY, and INTERBOROUGH NEWS CO.,
Defendants-Appellants.

TRANSCRIPT OF RECORD

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK.

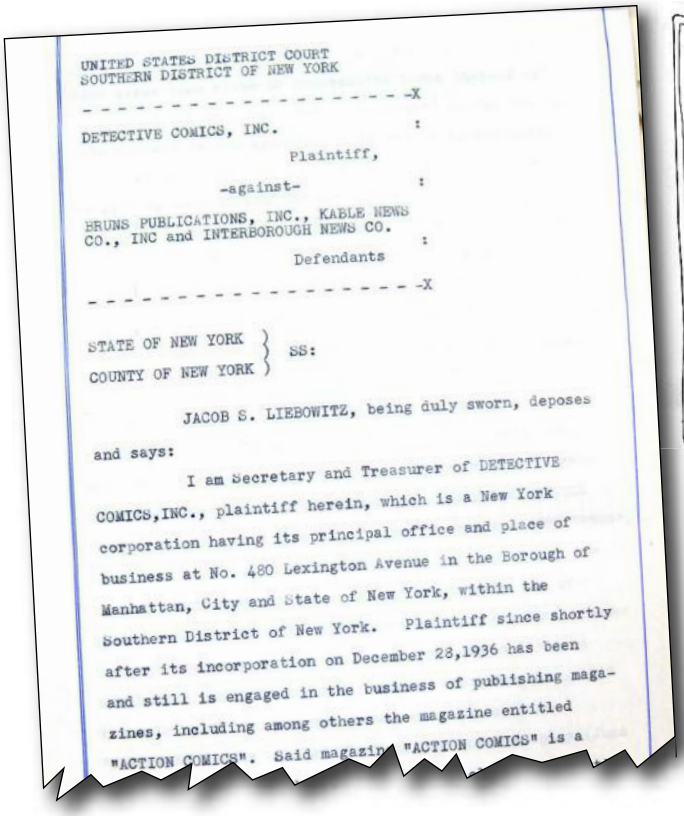
FILED NOV 10 1939

LOWER APPEAL PRESS, INC., 65-67 Dutch Str. N. Y. C. Tel. WOrth-2-0589

Will Wonder Never Cease!

(Left:) Eisner's cover for Bruns Publications' *Wonder Comics* #1 (May 1939) shows The Wonder Man stopping a diving aircraft. Superman, incidentally, had been depicted similarly halting an enemy aircraft on that of *Action Comics* #10 (March '39), only a couple of months earlier, although by the time it went on sale the *Wonder* #1 cover *might* have already been drawn. Oddly, the hero wasn't depicted wearing his *mask* on the cover. Thanks to Heritage Comics, Michael T. Gilbert, & Chet Cox. The entire "Wonder Man" story from *Wonder* #1 was reprinted in *A/E* #48, the Will Eisner issue. [©2011 the respective copyright holders.]

(Right:) The first page of the "Transcript of Record," the court publication from which all testimony that follows is taken. Note that this late-1939 document reprints the April '39 testimony in connection with Bruns Publications' unsuccessful *appeal* of the earlier verdict. In the appeal, Bruns was the primary plaintiff and DC the defendant; in the original trial by judge, of course, DC had been the plaintiff, and Bruns the principal defendant. The job of the appeals court was simply to rule on whether the original hearing had been properly conducted, not on the evidence presented therein. Based on the handwritten identification on this page, it appears that Asher Blum, one of Bruns' attorneys, paid Photostatting expenses of 50¢ for the copy on Nov. 10, 1939, no doubt the approximate date of the appeal.



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DETECTIVE COMICS, INC.,
Plaintiff,
-against-
BRUNS PUBLICATIONS, INC., KABLE NEWS CO., INC and INTERBOROUGH NEWS CO.
Defendants

STATE OF NEW YORK } SS:
COUNTY OF NEW YORK }

JACOB S. LIEBOWITZ, being duly sworn, deposes and says:

I am Secretary and Treasurer of DETECTIVE COMICS,INC., plaintiff herein, which is a New York corporation having its principal office and place of business at No. 480 Lexington Avenue in the Borough of Manhattan, City and State of New York, within the Southern District of New York. Plaintiff since shortly after its incorporation on December 28,1936 has been and still is engaged in the business of publishing magazines, including among others the magazine entitled "ACTION COMICS". Said magazine "ACTION COMICS" is a

You May Say I'm A *Dreamer*

(Left:) Part of the first page of the March 16, 1939, affidavit of Jacob S. (Jack) Liebowitz in the case of Detective Comics, Inc., vs. Bruns Publications, Inc., Kable News Co., Inc., and Interborough News Co. The full 10-page affidavit is on view at Ken Quattro's blog *The Comics Detective*; see info in his Introduction.

(Above:) In this panel from Will Eisner's *The Dreamer*, Bang Comics publisher Donny Harrifeld (i.e., DC's Harry Donenfeld) and his right-hand man "Jake" (Liebowitz) enjoy the fleeting moment in early '39 when their mags boasted the only two real costumed super-heroes in comic books: the year-old Superman and the spanking-new Batman. It was a monopoly that wouldn't last. Eisner's graphic novel is still in print and belongs in every comics aficionado's library. [©2011 Will Eisner Studios, Inc.]

had read my online article "Rare Eisner: Making of a Genius," telling me that he had obtained a copy of the transcript and asking if I'd like to see it. I could hardly type my affirmative reply fast enough.

In short order, my benefactor (who has requested anonymity) sent me a PDF file of transcript. For the next couple of hours I pored over the contents—and was stunned. It was like sitting in the courtroom listening to history.

In my opinion, this transcript is one of the most important documents related to comic book history ever to come to light. It is also a confounding maze of crook deals, hidden agendas, and mind-boggling business relationships. What follows is my attempt to provide a historical context and guide through this collection of Dickensian characters and their motivations.

Notes And Acknowledgments

Due to the historic value of this transcript, I have endeavored to use the exact words of testimony whenever possible. In a few slight instances, I (or *Alter Ego* editor Roy Thomas) have made corrections to obvious typographical errors in spelling and punctuation that occur in the original document.

In addition, to avoid confusion, I have printed the *names* of the various participants, instead of the descriptive nouns used in the original, such as "*The Witness*" and "*The Court*." Also, as per the *A/E* house style (and generally accepted practice), such magazine titles as *Action Comics* and *Wonder Comics* have been differentiated from the always-italicized testimony, while the character name "Wonder Man" has been rendered as two words, as per the feature's actual title, rather than as "Wonderman," as written by the court reporter, who was only hearing the name, not reading it. (The actual title of the strip was "The Wonder Man," although the "The" was rarely used in the court proceedings.)

The full testimony from this transcript can be viewed on my blog *The Comics Detective* at ***http://thecomicsdetective.blogspot.com***. Please note that, in my original presentation of the transcript, I ran the testimony of Will Eisner and the other defendants out of the order of their actual appearance at the trial. This was done both to feature Eisner's history-changing words first—*and* to discourage direct copying from my blog.

In addition to my own research, I had the help of many knowledgeable and unselfish people. I am very grateful to all of the following: Bob Beerbohm, Mike Feldman, Michael T. Gilbert , P.C. Hamerlinck, Allan Holtz, Frank Motler, Barry Pearl, and Susan Liberator of the Ohio State University Cartoon Research Library. I'd especially like to once again thank the generous benefactor who discovered this stunning piece of history and allowed me to share it with everyone.

The Prologue

Jack Liebowitz, as a top executive at Detective Comics, Inc. (now DC Comics), wasted no time in responding to Fox's publication of *Wonder Comics* #1, which was cover-dated May 1939. According to his affidavit given March 16, 1939, he had obtained a copy of the offending comic only a day earlier—two days before it was to hit the newsstands. Immediately, DC filed their suit against Bruns Publications and the distributors handling the publication, Kable News and Interborough News. The attorneys on all sides got busy. Exhibits were filed, affidavits taken, and on April 6 and 7, Honorable John M. Woolsey heard testimony. This was definitely not a case of "justice delayed."

The Participants

Witnesses (in order of appearance)

— Jacob S. Liebowitz, witness for plaintiff
— Jerome Siegel, witness for plaintiff
— Warren A. Angel, witness for plaintiff
— William Eisner, witness for defendant
— Samuel M. ("Jerry") Iger, witness for defendant
— Victor S. Fox, witness for defendant
— Max Charles Gaines, witness for plaintiff
— Sheldon Mayer, witness for plaintiff
— Harry Donenfeld, witness for plaintiff

Attorneys

— Horace S. Manges, attorney for the plaintiff Detective Comics, Inc.
— Asher Blum & Raphael Koenig, attorneys for defendant Bruns Publications (Fox)
— Samuel Fried, attorney for co-defendants Kable News Co. and Interborough News Co.

The Testimony Of JACK LIEBOWITZ

Fittingly, Jack Liebowitz led off for the plaintiffs, asserting in answer to attorney Horace Manges' questions that he had been secretary and treasurer of "the plaintiff corporation" (DC/Detective Comics, Inc.) since its "date of organization," December 30, 1936.

The former accountant had worked his way up through Harry Donenfeld's organization. Hired as a business manager, Liebowitz was now secretary-treasurer for Detective Comics, Inc., and M.C. Gaines' partner in the Donenfeld-funded All-American Comics, Inc., venture. He was also chief guardian of the "Superman" franchise.

Jack Of All Trades
Jack Liebowitz in a detail of a 1940 photo from Frank Jacobs' 1972 biography *The Mad World of William M. Gaines*. [©2011 the respective copyright holders.]

Just the previous year, 1938, Harry Donenfeld himself had been the defendant in a copyright infringement suit brought by rival publisher Frank Temerson. Like Donenfeld, Temerson was not only engaged in the emerging comic book industry, but also in the sordid world of "smut" publishing. In the case of *Ultem Publications vs. Arrow Publications*, Temerson sued one of Donenfeld's many companies over use of the word "Stocking" in the title of its *The Stocking Parade*, an apparent imitation of his *Silk Stocking Stories*. The somewhat perplexed judge considered that, since "neither one caters to the stocking trade and neither one is recognized or considered by the trade to be a trade paper," no infringement was involved. But, lesson learned; Liebowitz hurried to protect DC's cash cow.

It was Liebowitz's affidavit that set out DC's complaint against Fox and detailed his perceived infringements.

Some were admittedly incidental: *"Each bears the notation of the price 10¢ upon the cover."*

Others are convincingly suspect: *"The 'SUPERMAN' (March 1939, p. 12) is portrayed running toward a full moon dashing 'off into the night.' The 'WONDER MAN' (p. 13) is portrayed running toward a full moon 'off into the night.'"*

The sum of DC's complaint, though, is contained in this paragraph:

> *"The 'WONDER MAN' is endowed with the same general characteristics of the 'SUPERMAN.' He also is endowed with superhuman strength and speed. The 'WONDER MAN'S' appearance is precisely identical to that of the 'SUPERMAN,' for he also is portrayed in a skin-tight acrobatic appearing uniform with the letter "W" (instead of "S") emblazoned on his chest. All that has been changed is the color of the 'WONDER MAN'S' uniform which is red, whereas the color of the 'SUPERMAN'S' uniform is blue."*

Once on the stand, Liebowitz's testimony was mostly about the business practices of comic book publishing. At first, the attorneys led him through prosaic descriptions of the physical aspects of comic books themselves and details about the copyright process. Then the questioning turned to the acquisition of the "Superman" feature:

Liebowitz: *It ["Superman"] was originally submitted by Mr. Siegel to the McClure Newspaper Syndicate and they couldn't use it at the time. We, being on good terms with them—and they knew that we were looking for some features for a new magazine—they submitted that strip to us for consideration. We decided to publish it.*

Manges: *And when was that?*

Liebowitz: *About January of 1938.*

Manges: *And thereafter did you enter into a contract with Mr. Siegel and Mr. Shuster?*

Liebowitz: *Yes.*

Unknown to all at the time, this contract would have implications stretching decades into the future.

Manges: *I show you this paper and ask if that was entered into between Detective Comics and Messrs. Siegel and Shuster on or about March 1st, 1938 (handing witness paper)?*

Liebowitz: *That is right.*

Judge Woolsey: *By this document, signed by both of them, they gave you exclusive rights to this creation of theirs called "Superman." Both the author and the cartoonist signed it. That is the beginning. That, in effect, is an assignment of a common law copyright by both of these people. It is hard to conceive of just what you would call it, because these comic strips become almost entities and, I suppose, one would call that an assignment.*

Manges: *Yes, sir; of all their proprietary rights in and to the comic strip.*

To further back up this claim, Manges offered up more evidence.

Manges: *I offer in evidence a check dated March 1st, 1938, of Detective Comics, Inc., to Messrs. Siegel and Shuster for $412, including the first item of $130.*

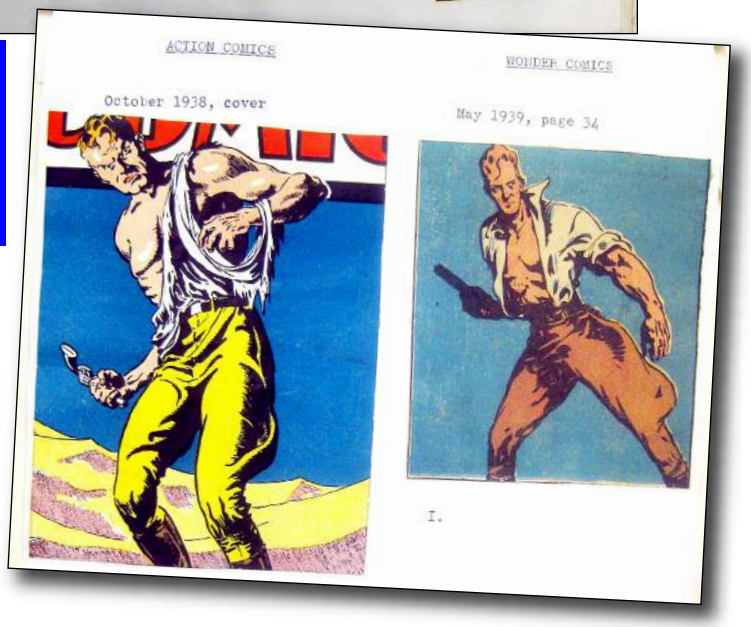
The "first item" referred to was the total amount paid to Siegel and Shuster for the *"exclusive right to the use of the characters and story, continuity and title of the strip contained therein, to you and your assigns, to have and hold forever…,"* as stated in their contract with DC.

If Jerry Siegel, sitting in the courtroom awaiting his turn to testify, wasn't already simmering over the embarrassing details of the contract he'd signed being made public, this passing comment to the court made by the plaintiff's counsel surely brought him to a boil:

Manges: *I wanted to get into the record the fact that there is a very serious license question that we are trying to protect and must protect. If these people plagiarize, of course we cannot keep up the license which is of immense value.*

This confirmed what Siegel suspected, and what Liebowitz and Donenfeld already knew: "Superman" was a money-maker, even though the first comic book totally devoted to the hero (*Superman* #1, Summer 1939) was only then going on sale. Getting his fair share of that money would be another matter. The ongoing debate between Siegel and Liebowitz regarding compensation had prompted this response by Liebowitz just a few months earlier, in a Sept. 28, 1938, letter to Siegel:

> *Now in reply to your letter. Frankly, when I got through reading it, it took my breath away. I did not anticipate 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 up your price on 'Superman.' 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 feature in any of our four books.*



Tear And Compare

These three pages of "Exhibit 1" were attached to Liebowitz's 3-16-39 affidavit; they're also on view in Ken Quattro's *Comic Detective* blog. Their purpose was to show that drawings and text in "Wonder Man" were copied—i.e., stolen—from earlier "Superman" yarns. For good measure, DC tossed in a *Wonder Comics* figure allegedly swiped from an *Action Comics* cover. [DC art ©2011 DC Comics; Fox art ©2011 the respective copyright holders.]

Eventually the questioning in court got around to establishing Fox's opportunity and means of acquiring the sales figures of—and consequently, the motivation to copy—"Superman." After establishing the close proximity of Bruns to DC (both were in the same building, two floors apart), the plaintiff's attorney reveals a deeper relationship:

Manges: *Is Mr. Donenfeld the president of your company?*

Liebowitz: *He is.*

Manges: *And did Mr. Donenfeld at one time have a 50 percent interest in the Bruns Publications?*

Liebowitz: *Yes.*

Wheels within wheels. Not only was Donenfeld owner of Detective Comics, Inc., and its distributor, Independent News, but he was also Fox's one-time partner in Bruns. Meanwhile, Liebowitz, secretary-treasurer of DC, served in a similar capacity for Independent News, of which Fox was a customer. It was as a client of that distributor that Fox had had access to the sales figures of *Action Comics*.

Judge Woolsey: *Were they things that anybody could look at in the Independent News Company?*

Liebowitz: *No. Mr. Fox was anxious to know how his magazine was selling and I was anxious to know how* Action Comics *was selling and our other comic magazines were selling, too, and in the morning before—*

Judge Woolsey: *What day?*

Liebowitz: *Well, almost every day; the cards would come in daily. Before they were actually assorted according to state or city, I would be looking at the cards and he would be looking at the cards.*

It seems that Fox would make a daily trip to the offices of Independent News to check the sales of his own *World Astrology Magazine*. While flipping through the unsorted "pick-up" cards, he had the opportunity to

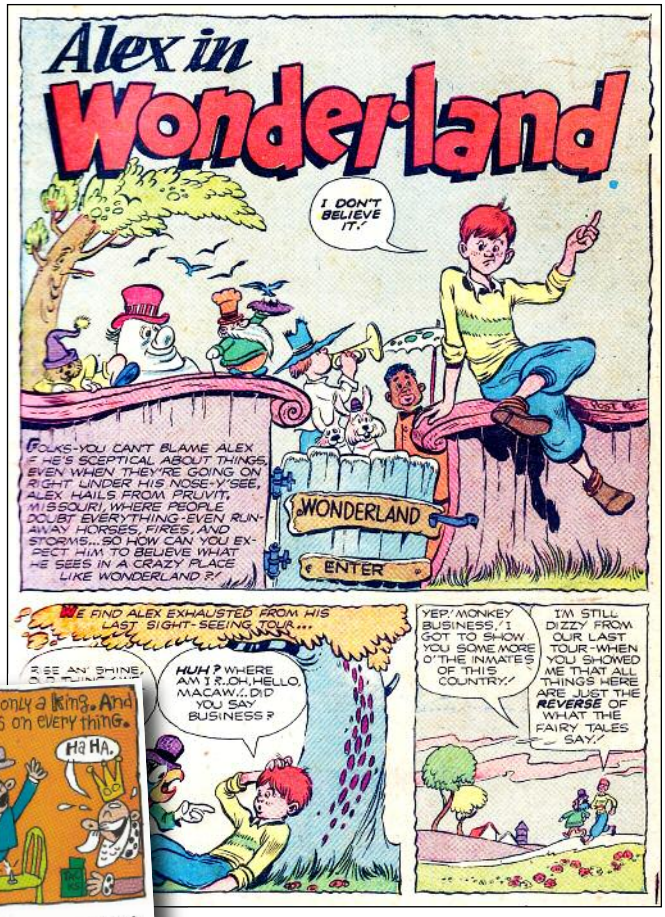
"Cartooning Was Ultimately My Goal"

Part I Of A Candid Conversation With Writer & Artist JACK MENDELSOHN

Conducted by Jim Amash Transcribed by Brian K. Morris

*Jack Mendelsohn certainly has had a variety of jobs in his professional career as a writer/artist! From the 1940s through the 1960s, he wrote humor comics at Archie, DC, Dell, EC [*Panic *and* Mad *magazine], Quality, Tower, Standard, and Ziff-Davis. Among the many things he has written for which he did not receive official credit were comic book stories scripted for his close friend and former studio mate, the late Howard Post (whose interview will be printed in an upcoming issue of* Alter Ego*). His newspaper strip credits include* Felix the Cat *and the fondly remembered* Jackys Diary. *His animation writing includes* The Beatles, The Impossibles, Milton the Monster, Wacky Races, *"Fearless Fly," and* Teenage Mutant Ninja Turtles; *he also co-scripted the movie* Yellow Submarine, *among other cartoon features. In addition, he wrote for* The Carol Burnett Show, Laugh-In, Three's Company, Chico and the Man, *and* Carter County, *as well as many other television series.*

As is our usual wont, we focused on Jack's comic book days and the people with whom he worked then—but we did not neglect the other parts of Jack's career, and, judging by the quality of the stories he told me, you'll be glad we didn't. Special thanks to David Hajdu (author of The Ten Cent Plague*) for giving me Jack's phone number a few years back. And thanks to Jack for his patience in granting such a long interview, and waiting for us to get this into your hands!* **—Jim.**



Jacky In *Wonderland*

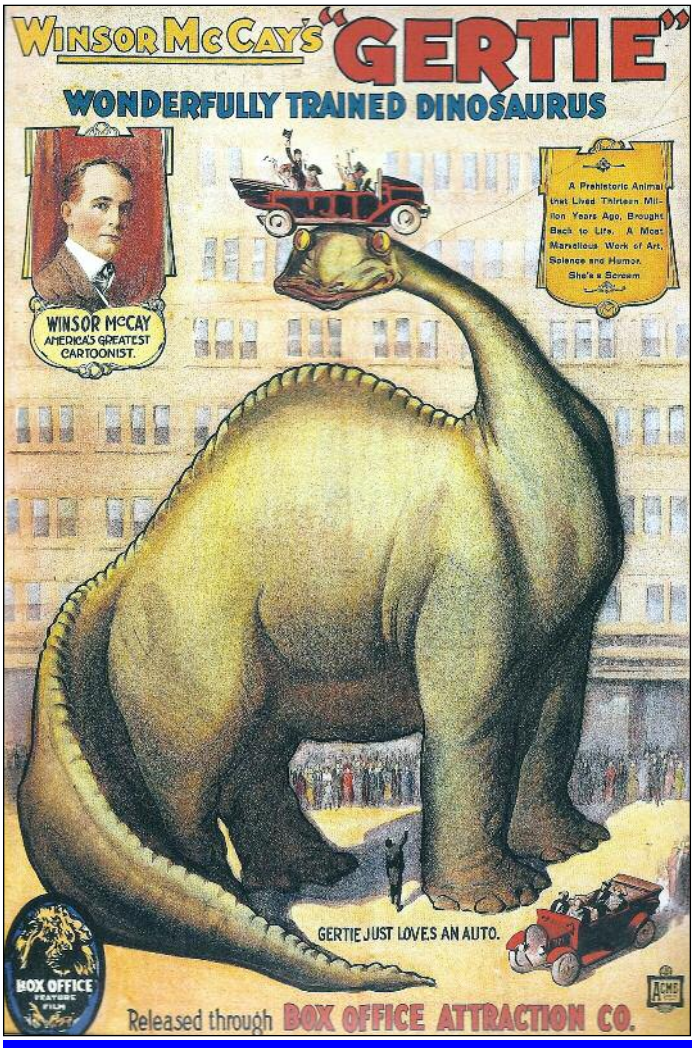
Jack Mendelsohn wrote and drew the *Jackys Diary* Sunday comic strip (seen at left) for Feb. 21, 1960—and he scripted the above "Alex in Wonderland" tale from Prize's *Wonderland Comics*, which was drawn by his longtime pal Howard Post. The latter *may* be from issue #7 (Oct.-Nov. 1946); Ye Editor couldn't be sure from his coverless copy. Thanks to Jack for the mid-1950s pic photo at top left; unless otherwise noted, all photos accompanying this interview were provided by the writer/artist. [*Jackys Diary* ©2011 Jack Mendelsohn; "Alex" page ©2011 the respective copyright holders.]

"You Couldn't Be A Writer [at Hanna-Barbera] Unless You Did Storyboards"

JIM AMASH: *I always start out with the most entertaining question of all, which is "When and where were you born?"*

JACK MENDELSOHN: Brooklyn, November 8th, 1926; a pure Scorpio. I wanted to be a cartoonist from the age of five. I was always fascinated by comic strips and animated cartoons, and my father encouraged me. He sent away for a correspondence course in cartooning, to which I assiduously devoted myself. I was maybe ten or eleven. I thought it was very helpful, but the style that they taught was so old-fashioned; full of cross-hatches and corny symbols. I didn't know any better and I copied them. So I was very influenced by that old, old school of cartooning.

Later in life, when I was doing comic books, I discovered that I was very fast when it came to writing, but very slow when it came to drawing, because I was never happy with the finished drawing. I was always changing it, correcting it, cutting it. I wasn't doing any of the action-adventure super-hero. That never interested me. I was strictly what they used to call a "bigfoot cartoonist." I was always interested in writing cartoons, and I *did* draw them in the sense that, when I was hired by Hanna-Barbera, I storyboarded my cartoons. I didn't have to be



The Real McCay

The above poster advertised the general theatrical release of Winsor McCay's animated film *Gertie the Dinosaur* in November 1914, nine months after it had been introduced as part of his vaudeville act. As seen in the hardcover *Winsor McCay: His Life and Art* by John Canemaker (Abbeville Press, 1987).

Rembrandt, but I did enough that a director could recognize what I had in mind, whether it was a close-up or a full figure or whatever. Every writer did that; it was kind of a given that you couldn't be a writer there unless you did storyboards. Part of the reason was that Joe Barbera didn't like to read scripts. He was used to reading storyboards. You know who Mike Maltese was, right? The man was a genius. His storyboards were incredible because they were literally stick figures. He couldn't draw, but that was acceptable enough, I guess, because he was Mike Maltese. I don't know if they would have accepted stick figures from anyone else.

The training was excellent because it trained me to think visually. Words are easy to write; you can say, "A crowd of ten elephants come charging on the screen." But the reality of it is that it costs a fortune, so you better not write it. If you start to draw it, you realize how much drawing is involved, and that translates into money. I always prided myself when I was writing cartoons that I would think like a producer. When you write animation, you have to practically be a director in your instructions. It's easy to write, "A car pulls up, a gang of crooks step out of this big, black sedan and go to the hero's headquarters." But the thing is, when you storyboard it, you realize the simplest way is you cut to the hero who says, "Boy Wonder, I hear a limousine." You cut to an overhead POV, and you see this limousine pull up. Then you cut back to our heroes, you hear a door slam, and the hero says, "Uh-oh, they're getting out of the car." It's almost like a voiceover. And the next thing you know, they're in the building, and by doing that, you've already saved like $500. I think a lot of producers appreciated what I was doing because I would do a lot of their work for them, because another writer would have written an entire scene, especially at Hanna-Barbera, because they were not Disney. Money-wise, everything was low-budget rent-a-cartoon.

JA: *But when you didn't write something like "all the elephants" because it would cost money, did you feel like that would inhibit your creativity?*

MENDELSOHN: No, just the opposite. It was a challenge. If a director is given a hundred million dollars to make a movie, he goes into paralysis. [*chuckles*] "What do I spend it on first?" But if he's given $12,000,000 to make basically the same movie, he has to be very creative. He has to suddenly think about the best and most economical way to do this. I admire people who think of the bottom line because it tests all of your creativity. You now have borders in which you have to work. You can't just go crazy and say, "We'll do this and we'll do that," and still tell a good, exciting story. It's the same thing with the cartoons.

JA: *Your father, Irving Mendelsohn, was an agent for Winsor McCay, and possibly a co-owner of McCay Features?*

MENDELSOHN: No, he wasn't co-owner. He was an agent for McCay, strictly in animation films. It was something he did on his own. He wasn't a professional agent; it's just that he was such a fan that he somehow contacted McCay. McCay was a nice man and said, "Sure, run with it." He made a trip out to Hollywood to try to get studios to finance bigger animation projects, which he could never get going. He was involved with smaller projects.

One of the saddest things ever: My parents lived in an old house in Great Neck, New York. He had all the Winsor McCay films, all his 16 mm films, all his animation, and many of his Sunday pages, *Little Nemo*s, etc. They were stacked in the attic, which had a leaky roof. Every time it rained, another layer or two of those originals would get destroyed. So my father just threw them away, because they didn't have any value in those days. It was just original drawings and they had already made copies, so who needs it? When you use them, you just throw them away.

The saddest things were McCay's animated films that my father owned. He had them stored in New York at his own expense in a film library storage place. But they were the old nitrate film stock, and they were melting. The Fire Department came around and said, "We've got to destroy these films because they're threatening other films." So they

DOC STEARN...

MR. MONSTER®

MR. MONSTER'S COMIC CRYPT!

BY MICHAEL T. GILBERT

IF WILL EISNER WAS THE SPIRIT'S *BRAINS*, THEN *ABE KANEGSON* WAS HIS *VOICE*. KANEGSON'S INVENTIVE LETTERING PROVIDED THE PERFECT *SOUNDTRACK* TO EISNER'S PEN AND INK *MOVIES!* THIS BEAUTIFUL *SPIRIT* SPLASH FROM APRIL 25, 1948, IS A GOOD EXAMPLE.

ABE LETTERED EISNER'S STRIP FROM 1947 TO 1951, THE *SPIRIT'S PEAK* YEARS. AS WE'LL LEARN, ABE PLAYED A *LARGER* PART IN THAT THAN MOST FANS SUSPECT. ABE LEFT THE COMICS FIELD IN 1951. FOR 60 YEARS NO ONE -- NOT EVEN EISNER -- KNEW WHAT BECAME OF ONE OF COMICS *GREATEST* LETTERERS. BUT WE KNOW! AND IF *YOU'D* LIKE TO FIND OUT --

READ ON!

"I THINK ABE KANEGSON WROTE MOST OF THESE ADS. AS A MATTER OF FACT THEY LOOK LIKE THEY WERE DRAWN BY HIM; THIS IS HIS DRAWING IN THIS AD. SO THERE'S NO QUESTION THAT HE WROTE THEM." JULES FEIFFER, 1974.

The Mystery of the Missing Letterer!

by Michael T. Gilbert

"*I had a fellow named Abe Kanegson, who was one of the great letterers of all time. I credit Abe for an awful lot of what was turned out in* The Spirit."

—Will Eisner, from a 1973 interview, printed in John Benson's *Panels* #1, 1979.

For sixty years, little was known of this talented mystery man. The *Who's Who of American Comics* states that Kanegson lettered for Eisner Studios and that his work appeared in Quality publications in the '40s (most likely in *Spirit* reprints). He also lettered other Eisner projects, most notably Fiction House's "Dr. Drew" series. The *Who's Who* also noted that Kanegson was a guitar player and folk singer.

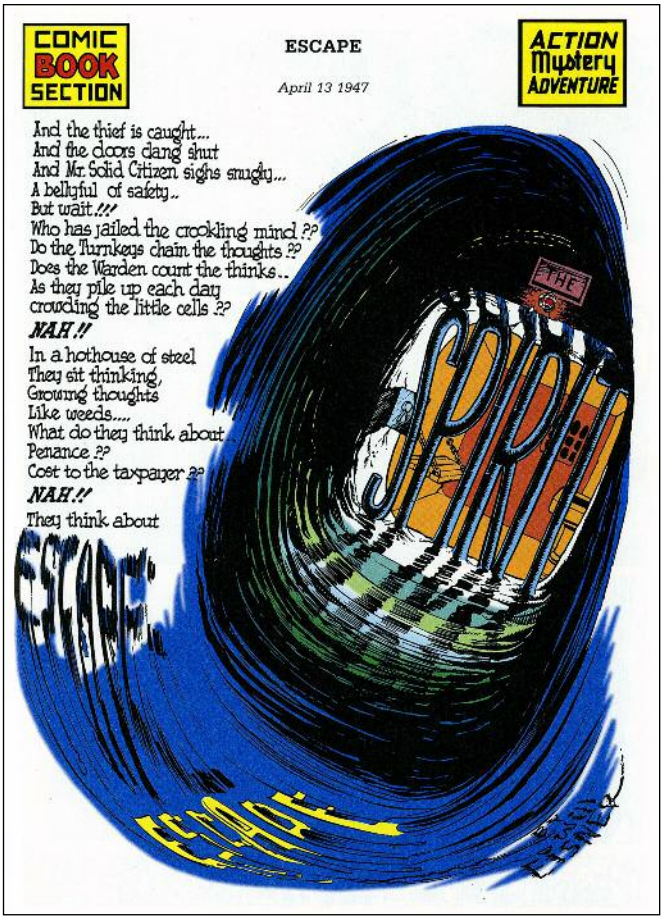
Not much to go on. Abe worked on *The Spirit* from 1947 to about 1951, taking the expressive Eisner-designed lettering to a whole new level. There were other talented artists lettering *The Spirit* before and after Kanegson—Martin De Muth, Sam Schwartz, and Ben Oda among them. For that matter, Eisner himself laid out *The Spirit*'s lettering throughout much of its twelve-year run. But in Will's eyes, Kanegson was clearly in a class by himself.

Eisner discussed their relationship in a panel transcription that appeared in NMP's *Golden Age of Comic Books* #2. The event took place in July 1982, at a Chicago-Con panel with Will Eisner, Maggie Thompson, cat yronwode, and former Eisner ghost Andre Le Blanc. Here, Eisner discusses how he and Kanegson planned out the lettering:

"I was telling Maggie, we would discuss problems. I came in one day and would say, 'You know what I'd like to see if I could do… I'd like to get sound.' You know, a fellow like Glenn Miller looking for the sound… Glenn Miller always looking for the sound. Remember we tried to get another dimension and we'd talk about it and I'd say, "Well, couldn't we make it like a large 'Boom!'?" and Abe would say 'I've got the solution; we got big balloons and little letters. When people are far away the letters are smaller. I'll try that.' And he would come back and he would do it. Or I had this idea for a comic only in poetry, you know, the entire one was in verse. And Abe said, 'You can't do regular comic book lettering. Let me work up a lettering style.' So he would develop the lettering. So we all worked together."

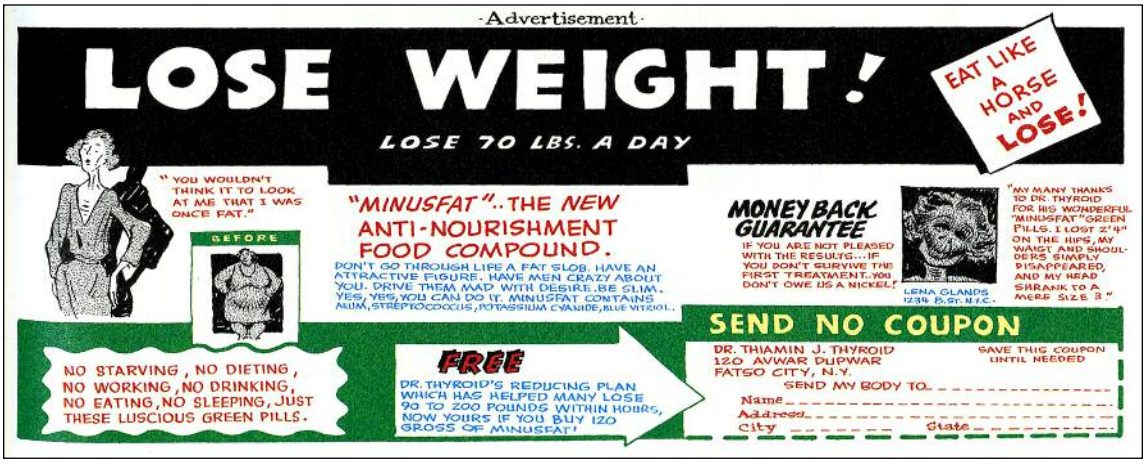
But Abe was valuable to the Eisner Studio beyond lettering. He became a trusted mentor to a young Jules Feiffer.

In his book *Will Eisner: A Spirited Life*, Bob Andelman writes: "Abe Kanegson, Will's staff



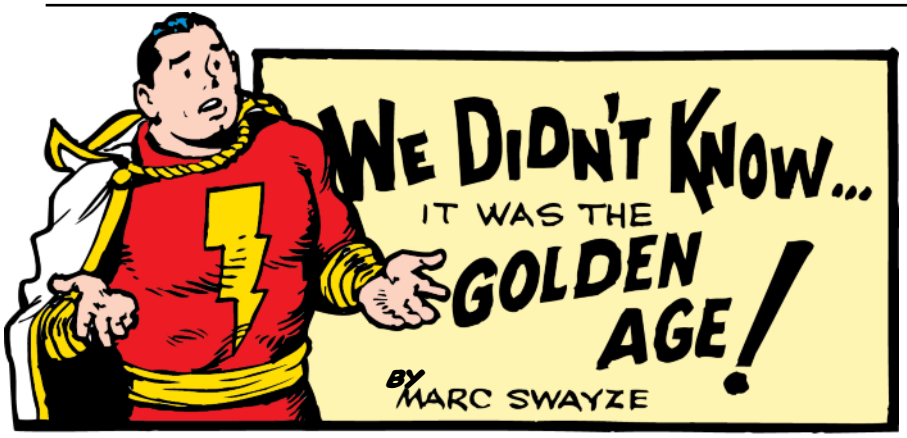
Escape from Drawing!

(Above:) Remove Abe's title lettering and there's not much left of this classic *Spirit* splash page from April 13, 1947! [©2011 Will Eisner Studios, Inc.]



Lose Eyesight!

(Above & right:) According to Jules Feiffer in an interview published in 1979 in John Benson's *Panels*, Abe drew as well as lettered these phony ads that appeared in *The Spirit Section* for April 25, 1948. He may have written them, as well. The art on the previous page is from the same story. [©2011 Will Eisner Studios, Inc.]



[***FCA* EDITORS NOTE:** *From 1941-53, Marcus D. Swayze was a top artist for Fawcett Publications. The very first Mary Marvel character sketches came from Marc's drawing table, and he illustrated her earliest adventures, including the classic origin story, "Captain Marvel Introduces Mary Marvel (*Captain Marvel Adventures *#18, Dec. '42); but he was primarily hired by Fawcett Publications to illustrate Captain Marvel stories and covers for* Whiz Comics *and* Captain Marvel Adventures. *He also wrote many Captain Marvel scripts, and continued to do so while in the military. After leaving the service in 1944, he made an arrangement with Fawcett to produce art and stories for them on a freelance basis out of his Louisiana home. There he created both art and stories for The Phantom Eagle in* Wow Comics, *in addition to drawing the* Flyin' Jenny *newspaper strip for Bell Syndicate (created by his friend and mentor Russell Keaton). After the cancellation of* Wow, *Swayze produced artwork for Fawcett's top-selling line of romance comics, including* Sweethearts *and* Life Story. *After the company ceased publishing comics, Marc moved over to Charlton Publications, where he ended his comics career in the mid-'50s. Marc's ongoing professional memoirs have been a vital part of* FCA *since his first column appeared in* FCA *#54 (1996). Last time we re-presented in the pages of* Alter Ego *Marc's interview from* FCA *#11 (Nov. 1978). And now, for another* A/E *first, June Swayze, Marc's wife, takes center stage with her warmhearted essay, "He's My Man"—reprinted from* FCA *#58 (1997).*
—P.C. Hamerlinck.]

I was in college when Marc and I met briefly before he entered the military. I couldn't stand him! I thought he was fresh, rude, and conceited. Then, when he came back, I thought he was wonderful! Still conceited, perhaps, but maybe he had a right to be, I thought.

It was in the mid-'40s and Marc was drawing the *Flyin' Jenny* newspaper strip and the "Phantom Eagle" for Fawcett's *Wow Comics*. He said that he had come home for good. We didn't recall having met before and were surprised to learn that our families were next-door neighbors. Marc did most of his work at night, and when he wasn't writing or laying out a story, I would read to him during the late hours. My mother didn't appreciate this. For that matter, she didn't appreciate Marc, this young artist/musician from New York who worked at home all night. So we eloped. In time, the love my mother and father felt for my husband was unquestionable.

I knew virtually nothing about the comics … but Marc and I had music as a common interest. I had studied voice and piano and Marc played in various musical groups. It wasn't long before I was playing and singing with them. When we moved into our first home, the new neighbors must have thought we were subversives, what with all that night-time activity. Our schedule was not exactly in accordance with the customary 9-to-5 routine. Marc's artwork had to be supported by cardboard when it was wrapped for mailing, and we often had to scrounge around behind department stores after hours for corrugated boxes. On one occasion, we had to explain to a night policeman that we weren't vagrants or robbers. Then he held his flashlight for us. The night staff at the post office came to know us by name and helped us with information about late plane schedules. We felt like we were teaching everybody the importance of publication deadlines!

As one might suspect, our lifestyle changed somewhat when the children, five, began to come along. I dropped out of the music groups, there not being much demand for pregnant vocalists. When Judy, our

On The Wings Of Love

(Above:) June & daughter Judy by Marc's side as he works out of their Louisiana home in the late 1940s. Thanks to the Swayzes for the photo.

(Left:) Swayze-drawn "Phantom Eagle" panels from *Wow* #42 (April 1946). While the Eagle's partner Jerry may have had difficulty seeking the romantic interests of young Mickey Malone, such was not the case with Marc and June Swayze after the artist had returned from the military and headed back home with art assignments—one of them being the "Phantom Eagle" feature for Fawcett's *Wow Comics*. [Phantom Eagle TM & ©2011 respective copyright holders.]

How To Talk Without Saying Anything

by C.C. Beck

Edited by P.C. Hamerlinck

[*From PCH's Charles Clarence Beck archives comes a previously unpublished 1983 essay by Captain Marvel's co-creator and chief artist.*]

Everyone is familiar with the person who is unable to describe the simplest object or event without using ten thousand words or more—the number of words used being in inverse proportion to the importance of the object or event. Many of these long-winded individuals are found, after their conversation, speech, or manuscript has finally ended, to have said nothing at all, so far as the rest of us can figure out.

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Marvel,"
designed to be read, not to be admired as art. To us, the pictures were mere adjuncts, that is, things added to but not necessary parts of the essential story.

This way of regarding the illustrations in comic books was due to our having grown up reading the syndicated comic strips in the newspapers. I had myself worked as a lettering man for a syndicated comic artist; Marc Swayze and some others had also worked with syndicated cartoonists. I had spent the better part of six years at Fawcett as a "spot cartoonist" drawing single-panel cartoons before I was assigned to "Captain Marvel." Pete Costanza had been an illustrator of Western pulp stories, in which

Beautiful Chaos

as depicted by the gifted Mac Raboy, from *Master Comics* #25 (April 1942)—as that same issue's front cover. C.C. Beck, in a 1979 interview with the *FCA* Mac Raboy as "a rebel" and "always upset with the world... so he drew losophy on what constituted good storytelling art clashed with Raboy's meticulous work, the "Captain Marvel Jr." illustrator was still unquestionably one of the finest masters of the medium, in the opinion of *FCA*'s editor. [Shazam hero TM & ©2011 DC Comics.]