because of the industry's insistence on perpetual ownership. For example, both negative and prints of the 1933 version of *"Dr. Jekyll and Mr. Hyde* (with an Oscar performance by the late Frederic March) were destroyed when a later version was made. Fortunately for film criticis, students, and movie buffs, private collectors had already obtained several (illegal) prints.

Collectors, contend industry spokesmen, rent prints, copy them, and return the originals, showing the copies for profit. Ziniewicz argues that Hollywood's policy is monopolistic; copyright laws should not only protect the interest of the owner but also guarantee the future right of the public to benefit from the film industry's artistic endeavors.

A Boost for Artists?

"Legislating Royalties for Artists" by Sylvia Hochfield, in *Art News* (Dec. 1976), P.O. Box 969, Farmingdale, N.Y. 11735.

California, the first state to mandate royalties for artists, is discovering that this gracious gesture is not to everyone's taste. According to Hochfield, contributing editor of *Art News,* many of the intended beneficiaries—painters and sculptors—now have serious reservations about the law; dealers and collectors are united against it.

The law, which went into effect in January 1977, requires that a painter or sculptor receive 5 percent of the purchase price whenever his work is sold at a profit (for more than $1,000) either by a resident of California or in the state itself. Backing the law's passage last year in the legislature in Sacramento was a coalition of young artists, who looked on the law as a potential subsidy.

Critics of the law, however, contend that it will drive art buyers to out-of-state markets; that it tends to give the greatest benefits to established artists; and that it lacks enforcement provisions. The law's principal benefit, Hochfield suggests, lies in its recognition of the plight of most California artists, who are "desperately in need of some sort of economic assistance."

Webster's Words As Ideology

"Words As Social Control: Noah Webster and the Creation of the *American Dictionary*" by Richard M. Rollins, in *American Quarterly* (Fall 1976), American Studies Association, 4025 Chestnut St., Philadelphia, Pa. 19174.

"It is obvious to my mind, that popular errors proceeding from a misunderstanding of words are among the efficient causes of our political disorders," wrote Noah Webster in 1839. According to Rollins, an Ohio State history professor, the author of the *American Dictionary of the English Language* was a disillusioned revolutionary who

was horrified by the excesses of the French Revolution and Shay's Rebellion. Webster had become convinced, says Rollins, that Americans could best serve their own interests by obeying the "wishes of a social leadership consisting of pious, elderly property owners," and accordingly he flavored his word definitions to encourage submission to civil and divine authority.

In the *Dictionary* under "duty," Webster listed "obedience to princes, magistrates, and the laws." Under "laws," he wrote of *"laws* which enjoin the duties of piety and morality." He made "submission" a synonym for "obedience" and defined "freedom" as a "violation of the rules of decorum." Of "politicians," Webster wrote that they were men of "artifice or deep contrivance."

PRESS & TELEVISION

A Major Ruling on 'Fair Trial'

"Can Judges Stop the Presses?" by D. Grier Stephenson, Jr., in *Intellect* (Dec. 1976), 1860 Broadway, New York, N.Y. 10023.

During the past decade, judges have issued 35 restraining orders against the news media to bar publicity that could prejudice potential jurors. Stephenson, a professor of government at Franklin and Marshall College, reviews a major effort by the press in its own behalf that significantly affected the outcome of the first major court test of such curbs.

Last year, in the *Nebraska Press Association* case, a county judge banned all press and broadcast reporting of evidence which implicated defendant Charles Simants in the 1975 murder of six persons in Sutherland, Nebraska. Thirteen news organizations immediately challenged the order and won a partial stay. By the time the case reached the Supreme Court, a total of 41 press organizations had joined the original plaintiffs to oppose what they called "prior restraint" in violation of the First Amendment.

Nebraska authorities argued before the Court that the restraining order was needed to ensure an impartial jury, but the state officials, Stephenson finds, were "outgunned and outrun" by the news associations, whose lawyers' briefs were far better prepared.

Although the Supreme Court ruled that existing procedures were sufficient in the Nebraska case to guarantee fair trial without curbing the press, the decision nonetheless set the stage for future legal controversy by conceding that there could be a genuine conflict between free press and fair trial—a concession the news industry has been reluctant to make.