

Mr. OLMEN. Yes, we are pursuing this in court.

Mr. SISK. As I understand it, after your case was decided by Judge Hyde who ruled you were guilty as charged and then at the present time that is on appeal, is that the situation?

Mr. OLMEN. No. The present situation up until this morning, I received a communication this morning, and here again is the difficulty with a thing like this is that the corporation counsel of the District Government, I do not know just what terminology to use, they have argued that the appeal motion or the appeal for a new trial was not filed within the proper number of days or some technicality which has absolutely nothing to do with the merits of the case, I mean it is something that probably is just and fair under legal rules, but we are asking for either a new trial or appealing to whatever the next higher court which would be eligible, the General Sessions Court. And our brief was filed just this morning. But, one of the difficulties as I noted here in the—first, is the thing should never have to go to court. Courts are busy enough without this sort of thing. It should be some impartial board. And in the note here, as suggested, the board, if possible, should be composed, it should not be just a three member, it should be more than a three member board if possible and that a member of that industry and a member representing the workers in that industry should be called for particular rules in particular industries. It is pretty hard to say that the same rules apply to an outdoor contractor where they use heavy equipment and the same rule apply to a printing shop.

However, printing is one of our largest industries, probably the largest other than building in Washington, and we are willing and able to provide a member and I am sure that the most of our workers in Washington organized, and I am sure that the union would be very happy to. We have provided a Committee in the Graphic Arts Association, which is an employer group, which I think met one time with Mr. Greene so that possibly there has been some benefit derived here. But, I think the benefit would exist only in formulating the rules and regulations if we were allowed to participate and suggest what is and what is not a hazard and that they would follow the advice and we would be very happy to police the industry ourself.

Mr. SISK. Fine. I just wanted to get in the record this particular situation. We certainly do not wish to try this case before the Committee—

Mr. OLMEN. I understand.

Mr. SISK.—because it is a situation which the Courts will handle. As I understand it the only argument that you have at the present time is so far as regulations have to do with the guard on the drive belt and Linotype machines, that is the issue, basically, is that right?

Mr. OLMEN. Well, there is two other machines that we feel the circumstances are exactly the same.

Mr. SISK. Now, let me ask you, do you have any idea how many of these machines of this type or general type are in use in Washington? It would run into a good many hundred, or several thousand?

Mr. OLMEN. Well, it would be several thousand. For instance, the Washington Post has sixty-eight and the Star would have about fifty, I mean roughly these figures, and all your smaller shops. In my particular case I have eight. I would say 2,000 would be a rough estimate.