



*JACK KIRBY*

JACK KIRBY COLLECTOR FIFTY-ONE  \$9.95  
IN THE US



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Front cover colors: **JACK KIRBY**  
*(with thanks to John Fleskes)*  
Back cover paint: **PETE VON SHOLLY**

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# THE NEW JACK KIRBY

## COLLECTOR

ISSUE #51, FALL 2008



(above) Jack drew this portrait of Connie Fox, reporter for local Los Angeles television station, KTTV, in 1976.

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by John Morrow,  
editor of TJKC



Over the course of nearly 15 years of producing this magazine, I've gotten an awful lot of submissions—probably 70% of them have actually seen print in one issue or another. I've got a box for each upcoming issue set aside, and if a piece comes in that nicely fits a theme issue we've already got scheduled, I'll immediately put it in the appropriate box, and then proceed to forget about it until it's time to start work on that issue. But if a submission doesn't fit something

we've already planned, it goes in a box labeled "Unused" for later use. That box includes quite a few that

# I HOPE I HAVEN'T USED THESE YET...



(above) Pete Von Sholly surprised me with this charming illustration of Jack and Roz, which perfectly captures how I've felt all these years, having Kirby art constantly dropped in my lap. That even looks like the top of my head! (But I gave up wearing a watch years ago; do your research, PVS!)

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didn't make the cut, for various reasons. Some covered ground that we'd already covered by another author, and a few, while always heartfelt, just didn't quite reach the professional level I strive for in the magazine. That's not a slam at the writers who sent them in; it's just that, not everyone who's ever read a Jack Kirby comic book is necessarily capable of writing something that the general Kirby crowd would enjoy reading—or at least in my estimation. As editor, it's my job to try to make each issue as compelling as possible, using whatever materials I have on hand.

However, the vast majority of these unused submissions are actually quite good, but don't fit any of the planned theme issues. And in fact, I plan upcoming themes based on material that's been sent in (so, for instance, if I've got a few submissions about Kirby's *FF* work, or *New Gods*, I'll probably use those as themes). This issue is a good example of why I even plan theme issues; it's being released very late largely because, without a theme as a "hook" to get me focused, I tended to meander around the process of assembling the issue, and it was really hard for me to pull together. But it finally came together.

So good or bad, this issue's theme is "Everything Goes," and thus features some of the best submissions that didn't fit a prior theme issue, or had to be cut for lack of space. However, even though I'm a fairly organized person, as I've added and subtracted to my "Unused" box over the last decade-and-a-half, a few pieces

that have already run in a previous issue may have been left in the box. In the

course of roughing-in this issue, I found two such pieces (thankfully before I finished re-laying them out) and replaced them with something else. But I've got this sneaky feeling that somewhere in this issue is an article I've already run in a prior issue. If I did, please let me know, but be kind. And I've got plenty of unused submissions still left, so if you didn't see yours, know there'll be another issue like this sometime soon.

Lastly, I wanted to mention two items of interest to Kirby fans who aren't subscribers to our Yahoo mailing list, or don't have e-mail access. The first (shown above) is still available in limited supply; a deluxe hardcover version of *Kirby Five-Oh!*, our previous fiftieth "issue," which was released as a 168-page *book* instead of the usual 84-page *magazine*. At the last minute, I decided to offer this hardcover edition (limited to 500 numbered copies), the first 50 of which went to the 50 people who've helped me the most on *TJKC* over the years. It includes a "wrapped" hardcover, and a Silver Surfer pencil bookplate, but otherwise is identical to the softcover version. It's \$34.95 plus shipping, but only a few are left.

The other is *Kirby Deities*, a limited edition (200 copies, shown at right) full-color portfolio done to coincide with the release of *Kirby Five-Oh!* at this year's New York Comic-Con. It includes ten plates in an illustrated envelope, and was limited to just 200 copies. It's a full-color reissue of Jack's





1971 black-and-white Disneyland portfolio of 8½" x 11" 1960s concept drawings, and includes two color plates that weren't in the original version. I mention it here so Kirby Kompletists will know of its existence, and since we didn't sell all our copies at the New York convention, I sent out a message to every subscriber we had an e-mail address for, and to our Yahoo mailing list. But alas, the remaining copies sold quickly, and it's sold out now. So be sure to sign up for our Yahoo mailing list (details are on our home page at [www.twomorrows.com](http://www.twomorrows.com)) to make sure you don't miss out on future special editions like these. ★

## UNDER THE COVERS

by John Morrow

Since last issue was a book (*Kirby Five-Oh!*) instead of a magazine, we didn't feature an "Under The Covers" section, where the artists that ink our Kirby covers can elaborate on their working process. And this issue, since our front cover was inked and colored by Frank Giacoia and Kirby respectively, they're obviously not here to offer any comments. But the big *Five-Oh!* sports an amazing cover inked by Darwyn Cooke (who's also one of the panelists on this issue's presentation of the 2007 Kirby Tribute Panel). When Darwyn agreed to ink a cover for us, I immediately thought of this image. It's a later Kirby piece Jack did for his daughter Lisa, and while the pencil version suffers from some of Jack's later drawing oddities, it's still a very iconic image. I felt it would benefit from someone who's a great draftsman, but has a clean style that wouldn't overwhelm what Jack laid down. So Darwyn seemed perfect for it, and jumped right into it immediately after I sent him the pencils.

Darwyn commented: "There was something great about the pencil art, but something very goofy as well. After studying it, I found if I cropped it, the goofiness of the legs disappeared. I added some mass to the sides of his torso, and shrunk the head slightly. Also, the foreground gunman had to be moved to accommodate the crop. I hope you like this, but if you don't no worries. If I've tampered too much with the image, let me know... but for my money, the tweaks make it a Superman image worthy of the Marvelmania posters."

A full-size version of the pencils (below) was shown last



issue. Needless to say, I was thrilled with it, and his incredibly graphic coloring only enhanced it even further—a job really well done. Thanks again, Darwyn!

For the back cover of *this* issue, my pal Pete Von Sholly, a much in-demand storyboard artist in Hollywood, pleaded with me to let him tackle the unpublished cover for *X-Men* #10. Not wanting to see a grown man cry, I relented, and he offers this insight on painting the King's work:

"The unused cover to *X-Men* blew my mind when I saw it. I fondly remember buying and reading (and re-reading) the original comic and loving it 'cause it was primo Kirby and primo early Marvel where it seemed every issue of standalone titles like the FF, Avengers and Spider-Man was an epic event. Plus this issue featured dinosaurs and related relics, which I also loved and still love! What could be better, right?"

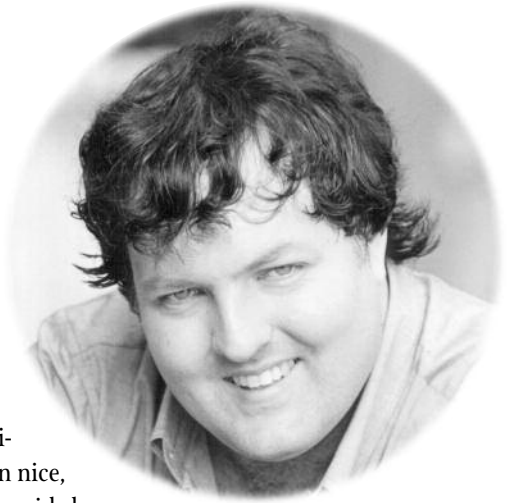
"So a finished cover was a real treat to see and I simply thought it would be fun to "paint," so I went to town rendering it as a color piece, my main concern being to be as faithful as I could to Kirby's lines and not get carried away trying to "improve" anything. Hope you like it and... I wonder—could that red tyrannosaur be someone we know who survived in the strange conditions that prevailed in the Savage Land...?"

You can see the original, Chic Stone-inked version of that *X-Men* #10 cover on the last page of this issue. Two great images, two different approaches, and both spectacular!

Then, there's that amazing illo by Pete that adorns the opposite page. It showed up in my e-mail box unannounced, and I was floored by it, so asked Pete what prompted it:

"The 'Kirby in heaven' piece is just a comment on the titanic cache of unseen Kirby art that has filled TJKC lo these many years and still seems to pour forth from time to time? Did Jack ever stop? Sometimes it seems like he's still at it somewhere, somehow... and aren't we lucky? And I wonder who that young man with upstretched arms might be?" ★





A column answering Frequently Asked Questions about Kirby  
by Mark Evanier

John M. suggested I devote some of this column to my recent book, *Kirby: King of Comics*. This is not a plug for it since I figure if you buy this magazine, you've already bought a copy.



Thank you, by the way, for that.

I'm very happy with how it came out... not with every little thing, of course. There are designs I wish I could redesign, phrases I wish I could rephrase, scans I wish I could rescan. That happens every time I have anything published and among writers, it's a not uncommon feeling. (When the issue of *The Jack Kirby Collector* containing this piece comes out, I'll probably think of ten ways I could have put that better...)

Still, as a man with the initials J.K. taught me, you always have to look at the Big Picture. The Big Picture looks pretty good to me. No book that size is going to do full justice to the man. You'd need another thousand pages and each would have to be the size of a movie one-sheet. But given the realities of publishing, I'm satisfied...

...for now. The "big" biography of Jack, the one I've been promising since half past forever, is still coming. I don't know when, but it's coming.

Getting back to the book that's out: I agree with the occasional criticism that it should/could have been longer, but the big bio will take care of that. I've also received a couple of irate comments or e-mails from folks who have their pet theories about Kirby and his life, and are indignant that I don't accept them. One guy was especially rankled that more space was not devoted to his all-time

favorite Kirby creation—and to hear him tell it, everyone's—OMAC.

The compliments have been nice, but the biggest upside has been all the Kirby fans I've met because of it, and all the time I've been able to spend talking about Jack to eager audiences. He really is my favorite topic. Why do you think I do this column?

On to other matters...

Column-before-last here, I was asked to speculate on what might have happened if artist Joe Maneely had not been killed in that train accident. How might that have impacted Marvel in the sixties?

As I said then, this kind of fantasizing can take you in all directions at once. Once you change one teensy thing in history, infinite possibilities appear... and while some are more likely and reality-based than others, the sheer volume makes it hard to even guess.

That said, I decided to address this question from Joe Banuelos:

*Let us imagine that Kirby had not quarreled with Jack Schiff at DC in the fifties and had remained to work at that company. What do you think would have happened? Would there ever have been a Marvel Age of Comics?*

Well, if Jack had not wound up at Marvel, I think not. I also don't think for a second there would have been a Marvel Age or anything like it without Stan Lee in the precise place he occupied, and maybe not even without Steve Ditko. Others made important contributions, too. The Marvel Age of Comics was a function of several people being in the right place at the right time and creating the right work.

However, I think there still would have been a Marvel Age and I'll tell you why.

My speculation starts with the recognition that Jack never fit in that well at DC. I can't imagine them ever really knowing how to use him or how to let him do what he did best. It's possible, of course, but it doesn't seem likely to me.

*Challengers of the Unknown* was a modest hit for the company at a time when hits of any magnitude were greatly appreciated. An interesting article someone else should write is to address the extent to which the success of that comic spawned other DC series like *Rip Hunter*, *Time Master* or *Sea Devils* or even *The Doom Patrol*.

(And an interesting article I should write is how, after much consternation and research, I came to the conclusion that the startling similarities between *Doom Patrol* and Marvel's concurrent *X-Men* were honest and true coincidence. So were the many parallels between *Sea Devils*, especially in its early issues, and Marvel's subsequent *Fantastic Four*.)

Still, *Challengers* did not give Jack any special standing at the company. To the extent the folks in the office viewed it as a success, it was a DC success, not a Kirby success. That's kind of how they thought there then: Comics were sold by editorial expertise, especially in coming up with exciting covers. Who wrote and drew the insides mattered, of course, but it didn't matter that much.

One of the reasons the Marvel Age happened was because Stan Lee recognized the unique and valuable skills of guys like Steve Ditko and Jack. He did not hand them

(below) One of two drawings of the Challengers of the Unknown that Jack included in the Valentine's Day sketchbook he drew for wife Roz in the mid-1970s.

Challengers TM & ©2008 DC Comics.





# SERVING TWO MASTERS

This issue, instead of our usual complete Golden Age Kirby story, we're presenting Jack's presentation for his unused "Career of King Masters" comic strip. Enjoy!

Career of King Masters TM & ©2008 Jack Kirby Estate.

Prior to landing the syndication deal for *Sky Masters*, Jack pitched numerous other newspaper strip ideas without success. Back then, the goal of many a comic book artist (especially ones dealing with the Wertham-inspired backlash of the 1950s) was to make the jump to the world of the syndicated comic strip artist. It was customary to prepare 2-3 weeks worth of daily strips to present, and the following is Jack's take on "The Career of King Masters," whose title character is a nightclub jazz musician by night, and (believe it or not) a professor of Accounting by day. This strange juxtaposition of vocations must not've connected with the syndicate heads he presented it to, but the remaining strips are an interesting look into Jack's 1950s style.

Since Jack had ghosted the strip "Johnny Reb and Billy Yank" for Frank Giacoia, it was a natural choice for Jack to ask Frank to ink his first week of daily samples. Perhaps Frank was Jack's syndicate connection for presenting this concept as well. So, enjoy looking at these prime 1950s Kirby pencils, and the finished, inked strips by one of Jack's finest, and most underrated, inkers. And if you have any of the missing strips not shown here, please send them in. ★

## THE CAREER OF KING MASTERS

by Jack Kirby and Frank Giacoia



MISSING STRIP GOES HERE



"For Michelangelo, the objective reality of the skeletal and muscular form of man was just a starting point. He used his mastery of anatomy to produce larger-than-life figures, with huge limbs and torsos resembling landscapes. His figures have their own anatomy, based on reality, but transformed into a new, heroically grand and gigantic reality. Although they sometimes involve anatomical impossibilities, they have a structural completeness which convinces and makes the impossible believable."

(John Raynes, *Human Anatomy for the Artist*, page 14)

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Kirby fan Mark Muller sent me that description years ago, saying, "Sounds like he's describing Kirby, doesn't it?" Exactly.

Following are pages arranged so that an early '60s Atlas/Marvel monster book art page is juxtaposed by a theme (of a kind) to pencils from the later '60s onward. We can see both Kirby's amazing skill for doing what is described above, while in the space of a couple of decades, radically evolving his own style.

(pages 18-19) **Atlas Monster vs. Atlas, Monster**

1961 (*Tales of Suspense* #15) faces off with 1975 (*First Issue Special* #1, page 16)

(pages 20-21) **Creature vs. Creature**  
1962 (*Strange Tales* #92) – 1973 (*Demon* #10 cover)

(pages 22-23) **Magneto vs. Magneto**  
1961 (*Strange Tales* #84) – 1977 (*Captain America Annual* #4, page 22)

(pages 24-25) **Hulk vs. Hulk**  
1960 (*Journey into Mystery* #62) and 1977 (*Eternals* #14, page 14)

(pages 26-27) **Tyrannosaurus vs. Tyrannosaurus**

1961 (*Amazing Adventures* #3) and 1978 (*Devil Dinosaur* #1, page 16)

(pages 28-29) **Talking Heads vs. Talking Heads**

1961 (*Amazing Adventures* #3) and 1980s (unpublished – *Roxie's Raiders*)

(pages 30-31) **Doomsday vs. Doom's Day**

1962 (*Strange Tales* #99) and 1978 (unpublished *Fantastic Four* cartoon storyboards)

(pages 32-33) **Humanoid vs. Humanoid**

1962 (also from *Strange Tales* #99) and 1977 (*Captain America* #209)

(pages 34-35) **Mummy vs. (sort of) Mummy**

1962 (*Tales to Astonish* #31) and 1972 (*Forever People* #9, page 17)

(pages 36-37) **Robotic Man vs. Robotic Man**

1961 (*Amazing Adventures* #4) and 1978 (*Machine Man* #9, page 12)

(pages 38-39) **Mohawked warrior vs. Mohawked Warrior**

1962 (*Strange Tales* #98) and 1974 (*OMAC* #1, page 20)

(pages 40-41) **Tough Scaly hide vs. Tough Scaly hide**

1961 (*Amazing Adventures* #6) and 1969 (*Fantastic Four* #91, page 5)

(pages 42-43) **Hairy Guy vs. Hairy Guy**

1961 (*Amazing Adventures* #1) and 1976 (*Eternals* #5, page 10)



IT WAS THE <sup>OF</sup> BEGINNING A GREAT DESTINY... IT WAS THE SHAPING OF A GIANT FIGURE WHOSE SHADOW WOULD FALL ACROSS ALL OF MANKIND... AND, ONE DAY, AS THE WORLD GREW OLDER, HIS NAME WOULD STILL LIVE WHENEVER MEN SPOKE OF AWESOME DEEDS... YET, THE LIVING ATLAS SOUGHT ONLY THE ROAD WHICH LED TO A

# HUMAN LIZARD

CHAPTER FOUR





*The* **THING** HUNTS FOR ME!



V-453



TO RECOVER A LOST SOUL, HE HAD TO  
FACE THE TERRORS OF THE INFERNO!

THE INFERNO





# ZOMBIES VS. ROBOTS

Food for Thought on Machine Man's Macabre Makeover, by Adam McGovern

Interviews with Fred Van Lente and Ralph Macchio conducted by e-mail on June 14 and 16, 2008.

(Kirby may have defined comics, but at the same time he drew some battle lines between stylized and "realistic" art and between action and indie genres. Legend or not, Kirby fans can find themselves defending their hero's eccentric vision and singular contribution in the face of modern styles and corporate assembly lines. Still, it's rare that one of his characters has to be defended by some Kirby fans against other Kirby fans, but Machine Man (a.k.a. Aaron Stack, X-51 and Mister Machine) is a case in point. A late entry into the Kirby canon from the King's last run at Marvel in the mid-'70s, this retro-modern machine in search of a soul holds embarrassing kiddie associations for some and wacky appeal for others. He has flown low through the Marvel Universe for much of the 30 years since his introduction, but he's about to rocket right into another dimension on the dragging, tattered coattails of one of the company's hottest franchises, as a star of Marvel Zombies 3. Starting this October, Machine Man (with fellow robot and '70s second-stringer Jocasta) will be fending off an undead plague under the able watch and twisted view of offbeat rising star Fred Van Lente as writer (with Kev Walker on art). TJKC spoke with Van Lente and editor Ralph Macchio about just what makes Machine Man and the zombie craze so, erm, deathless...)

(below) Zombies love brains, and what Kirby creation could be more fitting to lose his than this issue's numerical namesake, X-51? A vintage Kirby splash page of the mechanical Marvel from *Machine Man* #4 (July 1978).

(next page, center) Stack-splotation—Greg Land looks to more than Kirby for inspiration in this cover image for *Marvel Zombies* 3.

Machine Man TM & ©2008 Marvel Characters, Inc.

**THE JACK KIRBY COLLECTOR:** We've seen a few different kinds of X-51s this decade so I'll get perhaps the most important question right upfront: Synthetic flesh or purple spandex?

**FRED VAN LENTE:** Yes, then yes. *MZ3* takes Aaron on a complete arc from where he was in *Nextwave* to his further development as a part of the Marvel Universe. Although is that purple spandex, or is that his actual "skin"...? "Hull?" "Siding?" For Machine Man, perhaps skin is the spandex.

**TJKC:** I guess it's easy to see how Machine Man and Jocasta figure in—as mechanical characters, they're among the only Marvel heroes who have a built-in immunity to flesh-eating creatures... or do they? What kinds of perils can we expect to see them put through?

**FVL:** Even if they can't be converted into zombies, once they arrive in the Marvel Zombies world, they can certainly be blown apart by the sonic blasts of Zombie Black Bolt, melted by the spells of Zombie Dr. Strange, and be chased down and pummeled at super-speed by Zombie Speed Demon (or Zombie Quicksilver, or, in the most disturbing name of all time, Zombie Whizzer), so not getting infected isn't even half the battle.

**TJKC:** Sometimes I think Aaron is less of a Robot Man archetype than a Plastic Man one—all the extending stilt-legs and endlessly morphable pop-out gadgetry. Is it fun writing for such a fanciful character?

**FVL:** It is, particularly since we've "matured" him (if that's the right word) to morph out grenade launchers, flamethrowers, and railguns. I'm from the *Quake* generation, I'm afraid, and Aaron's ability to sprout innumerable weaponry (which was a part of the original Kirby concept that was literally written out when Wolfman and Ditko took over the book, unfortunately) appeals to me. It also allows him, as a zombie-slayer, to out-Ash Ash and his puny boomstick and chainsaw hand. Bah, humbug! Aaron Stack has 100x more stuff up his sleeve than that!

**TJKC:** Even as a kid it slightly bothered me that Aaron existed in the Marvel Universe since we'd already been through the whole robots'-rights melodrama with the Vision for years. Though looking back, it makes sense that the MU would have as many different AIs struggling to find themselves as the real world has immigrants and gays and comics fans. That seems to be the case with Jocasta too—she just kinda showed up in *Avengers* one day with the same identity issues and was made no big deal of. What makes these two characters unique and interesting for you (or, maybe, how did you make them unique and interesting for this series)?

**FVL:** One of the treats of being at Wizard World Philadelphia, where *MZ3* was first announced, was going from dealer to dealer and amassing an all-but-complete Kirby and Ditko run of the original *Machine Man* series. And I've got to say, I don't think MM gets enough props from Kirby fans. That first #1-6 arc, where Aaron has to





(below) Marshal Josef Stalin in 1937.

(right) The published cover of *Young Allies* #1 (Summer 1941).

(bottom) The unused *Young Allies* #1 cover. With "Old Glory" draping their title logo, Bucky Barnes and Toro got center stage as Cap's battling buddy got to tackle the "Big 3" of the Axis, the Red Skull, and presumably Joe Stalin moments later!



An unused S&K wartime cover analyzed by Jerry Boyd

In 1941, the world's governments and its citizenry marked time with great uneasiness. The swift, successful invasions of the Axis partnership gave rise to the myths of Japanese and German 'supermen'—modern-day conquistadors who couldn't be halted on the battlefield. President Roosevelt waged an unofficial war with Nazi Germany's Fuehrer by sending much-needed supplies across the Atlantic past waiting U-Boats to the courageous, determined holdouts in besieged Great Britain. Across the Pacific, saber rattling between the US and Imperial Japan intensified as the Emperor's forces hurried toward Burma, Malaya, and Indochina.

Young though they were, Joe Simon and Jack Kirby could hardly have hidden away from the bad news in the relative comfort of their New York studio offices. To their credit, the team poured out their animosities toward Prime Minister Tojo, Mussolini, and Hitler in comic magazine covers and stories long before the December 1941 attack on Pearl Harbor.

For their proposed cover piece for *Young Allies* #1, the pair decided to launch this kid gang (which, sadly, they'd only produce a few covers for) with a scenario outdoing Captain America's knockdown of Hitler on his very first cover. Bucky Barnes was depicted in a flurry of motion punching and kicking the Red Skull

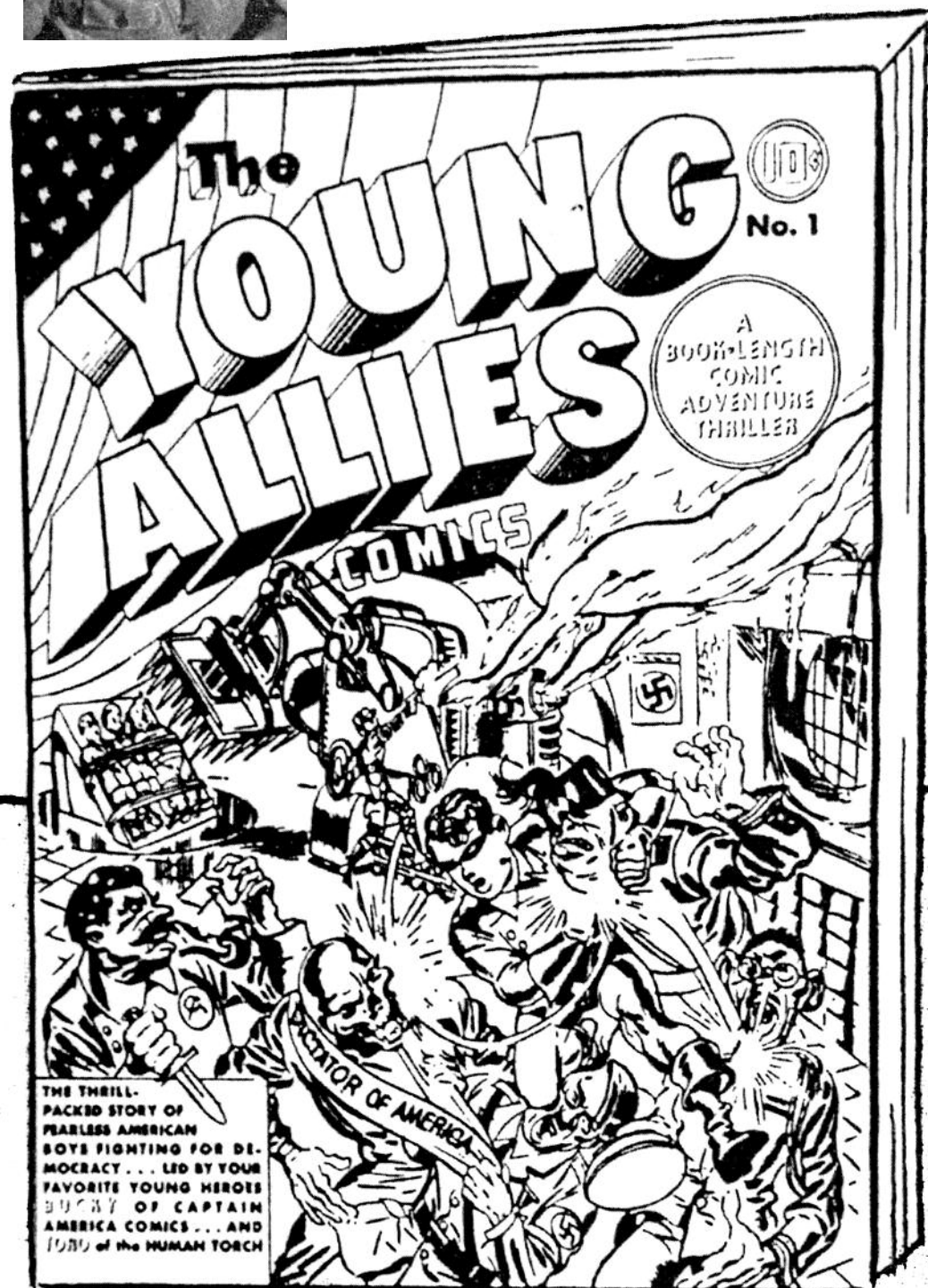


(who seems to be in disagreement with his leader over the ownership of a "Dictator of America" sash), the Italian Duce, Tojo (possibly the Emperor Hirohito?), and Hitler. Overhead, Toro, the blazing boy pal of the Human Torch, was shown soaring toward the 'regular' boy allies who were threatened by an insidious torture device. Also of special interest is the looming presence of Soviet Premier Josef Stalin, positioned above the caption at lower left. By the time this cover was featured in *Captain America Comics* #7 (cover-dated October 1941), Russia was already at war with Germany. (The end of connivances between the two bloodthirsty dictators reached a climax on June 22, 1941.) This unused cover was undoubtedly prepared months before Hitler stunned the world by attacking the Communist nation, but almost immediately after the attack, Stalin left the enemy camp and became an ally of England and, by extension, America. So a new cover had to take the place of this one! On the published version, Bucky got to plow into the Red Skull and der Fuehrer. The Flame Kid and the other boys were drawn larger. Finally, Bucky and Toro's names got marquee status, playing on their popularity.

Still, this rarely seen, unpublished version represents not just a spectacular moment for Cap's little buddy, but a pivotal moment in history as recorded by two of the Golden Age's greatest creators. Britain's Churchill had long denounced Bolshevism as a "plague-bearing infection" and most Americans were leery of it as well, but the invasion of the Soviet Union changed everything. 'Uncle' Joe would join Roosevelt and Churchill as one of the "Big Three," and thanks to Golden Age comic collectors, *Captain America* #7 would survive the wartime era's paper recycling with its inside cover promo of the Simon & Kirby cover that might have been.

(Special thanks to Dick Swan and John Fleskes for photocasting the *Young Allies* covers.)

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# URBAN LEGENDS

(below) O'Ryan's Mob squares off against Country Boy and Intergang. Original cover art from *New Gods* #4 (Aug. 1971).

*The big, bad city—Kirby-style, by Dwight Boyd*

Leave it to Jack Kirby to not only revolutionize super-heroes but to revolutionize their fellow city dwellers and the city they lived in as well. During the King's page production in the '60s and '70s, New York and Metropolis denizens came to life in ways they'd never been depicted before, based on urban realities. Kirby's co-plotting played on urban legends and the results, as usual, added to the entertainment value found in his magazines.



in ways they'd never been depicted before, based on urban realities. Kirby's co-plotting played on urban legends and the results, as usual, added to the entertainment value found in his magazines.

## URBAN LEGEND #1

*"Get an apartment on the upper floors of the building. That makes it tougher for second-story men to rob you."*

Ever heard of the Wrecker? He became more than just an elusive apartment burglar when he unknowingly barged in on the God of Mischief (see *Thor* #148-149). The Wrecker got the powers Loki wanted from the Norn Queen and he's been giving Thor, the Defenders, and others headaches ever since. (The Cat from *Amazing Spider-*

*Man* #30 had no powers, but Lee and Ditko made him a lot of fun, anyway.)

## URBAN LEGEND #2

*"Travel in groups*

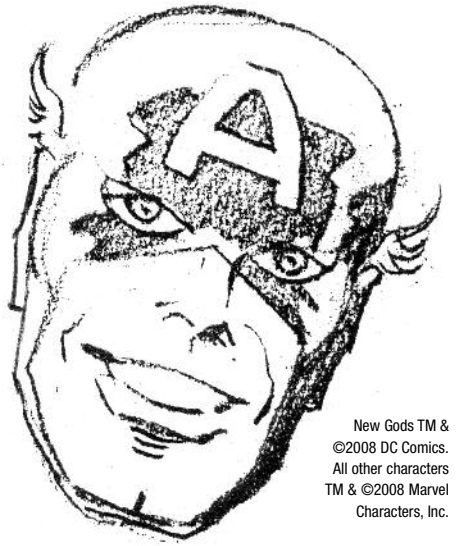
*when you have to cover a lot of ground in the big city. Muggers look for people who walk alone and the muggers are everywhere!"*

In the neo-realism Stan and Jack were proposing, the realities of street gangs, neighborhood bullies, and muggers fit in perfectly. (Though for all we know, the Yancy Street Gang never bothered anyone except Ben Grimm and his teammates!) Bullies were done to death in the Western books so, in the Marvel Age, the only bruisers who made good—er... bad—were Flash Thompson and Whitey Mullins (see *Fantastic Four* #51). The muggers, like the bullies, always got what they deserved in the end (see *FF* #48), however. The best example of this occurred when a group of classless individuals tried to put the hurts on a "rich-lookin' geezer" who was approaching their corner in one unforgettable Lee/Kirby/Stone yarn (below). The geezer turned out to be Odin (!) on his first visit to Earth since he created it (!) and considering his temper, the muggers got off easy! I'm betting they went straight after that (*Journey Into Mystery* #104). C'mon, attempting to mug Odin—**SHEESH!!**

## URBAN LEGEND #3

*"Big city cabbies are rude and obnoxious. There's no way around them, though. Just deal with it."*

Dealing with life in Fun City, the Marvel Bullpen probably ran into more colorful cab drivers than the ones they incorporated into their stories. And to be fair, a lot of their fictional cabbies



New Gods TM & ©2008 DC Comics. All other characters TM & ©2008 Marvel Characters, Inc.





# THE KIRBY WORK ETHIC

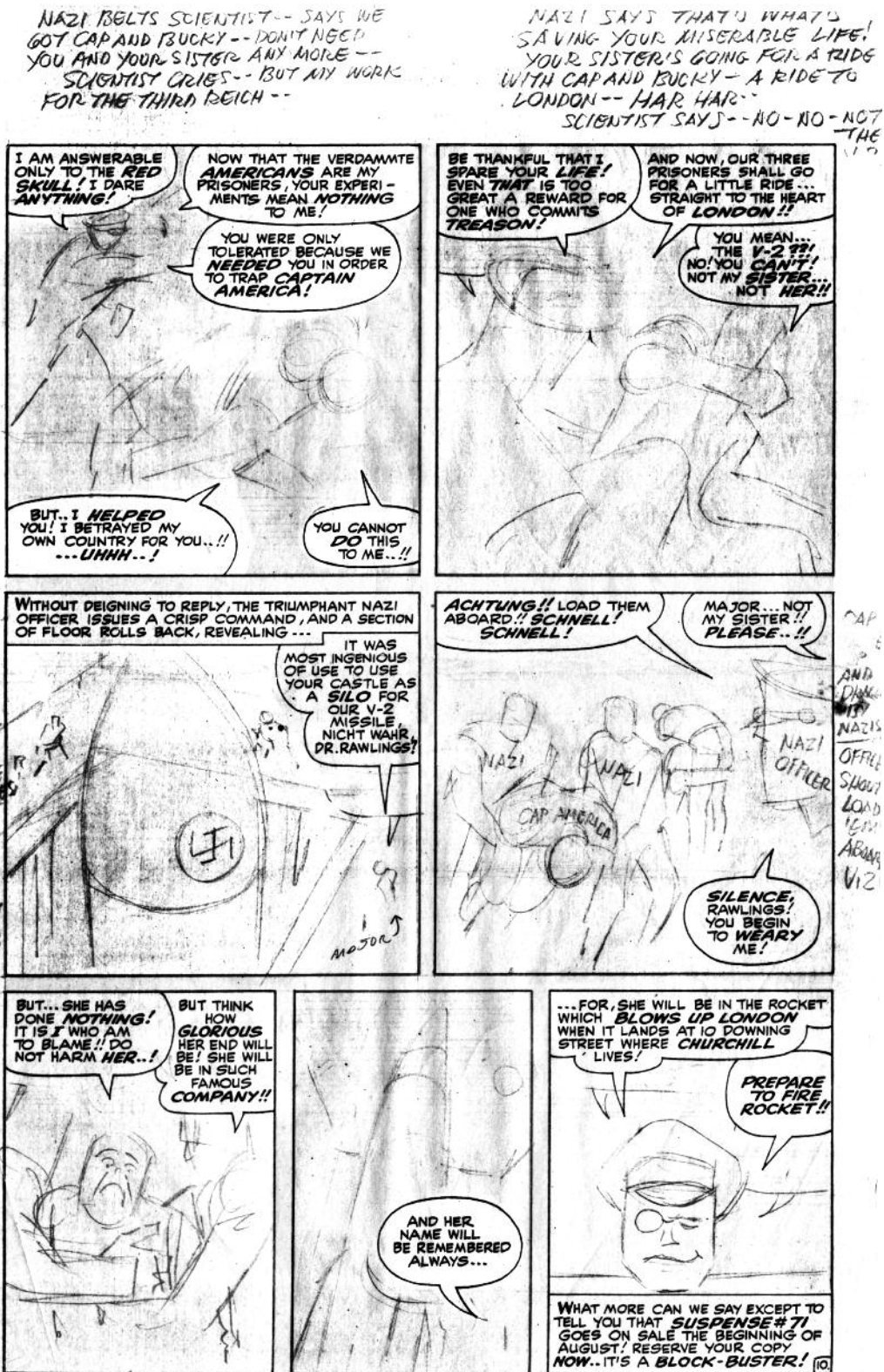
(this page) In addition to his regular chores drawing at least three concurrent full issues a month, Jack was called upon by Marvel to produce layouts for other artists to follow. Here's layouts for page 10 from *Tales of Suspense* #70 (Oct. 1965, below) and George Tuska's finished art (right). ©2008 Marvel Characters, Inc.

(next page) Jack managed to find time to construct collages to incorporate into his work, like this one from the *2001: A Space Odyssey* Treasury Edition (1976).

2001: A Space Odyssey TM & ©2008 Turner Entertainment, Inc.

by Gary Picariello

The concept of "work ethic" has changed dramatically over the years. A shift in priorities based on what each individual needs to live comfortably is counter-balanced with the need to feel good, spend time with family and friends, or just relax. Likewise, the typical 40-hour work week that society has adjusted to has given way to countless variables as well: for example, the chance to produce more work in less time, do so in a 10-12 hour workday instead of 8, and cram it into three days instead of five! For the comic book artist, however, the options are limited. One page of art equals "x" amount of dollars. And how fast that page can be completed so that the *next* page can be started is what makes life so challenging for the artist. Since comics' inception, one or two pages of complete ready-to-be-inked pencils seemed to be the norm. Imagine then, how the industry's foundations were shook when Jack Kirby came along and distinguished himself for not only being able to pencil *two* pages a day, but as many as *four* or *five* and sometimes more! How did he do it? And better yet—how did he manage to work at such a blistering pace for



almost 50 years? It all comes down to *work ethic* and the principles that drive men and women to do the things they do in order to earn a living and provide for their families.

Much has been written about Jack Kirby's ability to produce page after page of mind-boggling adventure and fantasy. So much so, that many fans tend to imagine Jack literally chained to his drawing table—churning out pencils at a furious pace, oblivious to the world around him. Although such a description makes for great melodrama, the reality is a little different than the fantasy. Comments Jack's youngest daughter Lisa:

"...My dad did spend a lot of time working. His schedule was usually from mid-afternoon and he worked all night. My mom would usually get up at 2:00 or 3:00 am to check on him, and try to convince him to go to bed. He enjoyed working during those hours because it was quiet and he had fewer interruptions. He had the TV on for company or a movie, usually Charles Bronson, or Clint Eastwood. Since he was up all night, he slept in and had a leisurely morning, till he started again. My dad's studio pretty much had an open-door policy. We just came and went and it didn't seem to bother him. I think he enjoyed the fact he could take a break and hang out with us for a while, and then go back to work. I've had other people mention that they couldn't believe how much work my dad could put out, and that he was unbelievably fast. When I would visit him while he was working, it never really dawned on me to pay attention to how he actually laid out his story. He would sometimes stop to show me what he was working on and how the story was developing. What does stick in my mind was how fast he could sketch something out. He could have a blank piece of paper in front of him one minute, and while you are standing there asking him a question, a character would suddenly appear! I thought that was pretty amazing..."

The fact is, Jack Kirby had a tremendous work ethic. But more than that, he was *driven*—driven to get out of the projects as a young man; driven to earn a living and provide for his family. That Jack was/is considered one of the best, if not *the* best comic book artist in the business, was only a by-product of that drive and desire to succeed. Consider: Jack's contract during the '60s



# KIRBY & COPYRIGHT: THE LEG

by Adrian Day

*"I've always believed that the Marvel Method strips were true collaboration between writer and artist in the most literal sense."*

Stan Lee, *Excelsior!: The Amazing Life of Stan Lee*

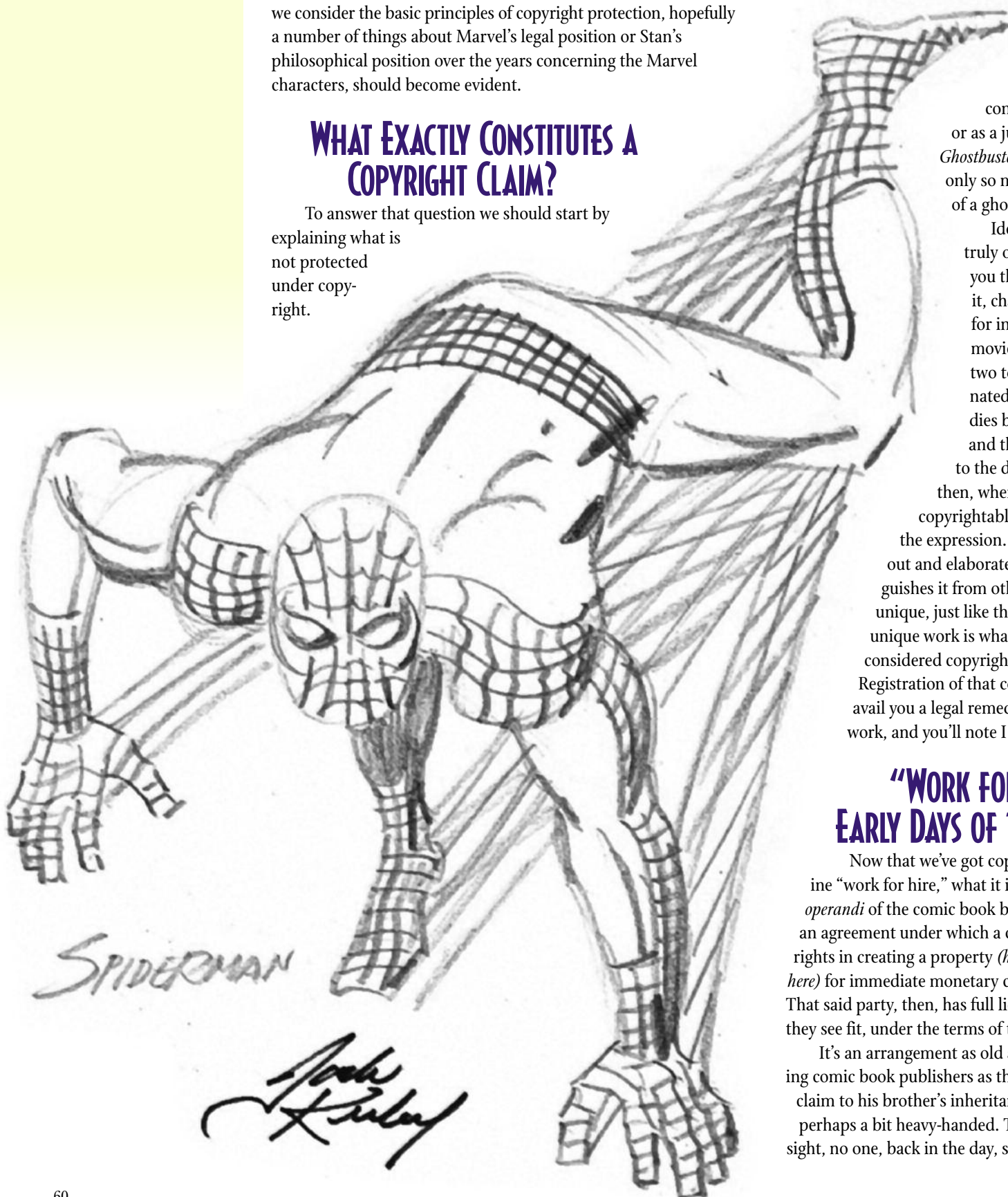
(below) Undated Kirby sketch of Spider-Man.

Spider-Man TM & ©2008 Marvel Characters, Inc.

**W**e've all heard the stories of Jack Kirby's struggle with Marvel, in his latter days, for the return of his original artwork, and their attempt to obtain, from him, a signed statement relinquishing any possible claim to the characters he created with Stan Lee under "work for hire" status in the '60s as a precursor to any such agreement. Marvel's prerequisite in that instance, much like the "work for hire" arrangement itself, has always carried strong legal implications that a lot of folks seem to miss. However, before we discuss those implications here, we should first lay the groundwork by demystifying a topic about which a great many people have misconceptions: copyright. Once we consider the basic principles of copyright protection, hopefully a number of things about Marvel's legal position or Stan's philosophical position over the years concerning the Marvel characters, should become evident.

## WHAT EXACTLY CONSTITUTES A COPYRIGHT CLAIM?

To answer that question we should start by explaining what is not protected under copyright.



Copyright law does not protect ideas.

Did you get that?

Let me repeat it. Copyright law does not protect ideas. It only protects the expression of ideas in a fixed or tangible form. Does that surprise you? Allow me to elaborate and you'll quickly understand why this must be so.

In popular music, just to give you a "for instance," certain chord progressions are seen over and over. It's just the nature of the beast. For this reason, if I write a song based on a three-chord structure, I cannot copyright that three chord progression itself, as many songs are based on that same pattern. When George Harrison lost a lawsuit maintaining that his song, "My Sweet Lord" was taken from an earlier song called "He's So Fine," he did not lose because the underlying chord structure was the same. In fact, he probably wasn't the first to repeat it. He lost because the song he came up with using the "idea" of that chord sequence

was not sufficiently different from the complainant's. This illustration holds true for art and writing as well.

Superficial similarities do not constitute copyright infringement, or as a judge in the *Harvey Comics vs. Ghostbusters* case once observed, "There are only so many ways to represent the figure of a ghost."

Ideas are a dime a dozen, and a truly original idea is hard to come by. If you think you were the first to think of it, chances are you weren't. Another for instance—consider two recent movies, *The Others* and *The Sixth Sense*, two totally different stories that originated from the same idea; someone dies but they don't know they've died, and the drama that ensues leads them to the discovery of the terrible truth. So then, when and how does your idea become copyrightable material? Simply put, it's all in the expression. As you write, or draw your idea out and elaborate in greater detail, what distinguishes it from other similar ideas will make it unique, just like the two examples above. That unique work is what copyright law protects and it is considered copyrighted the moment it is completed! Registration of that copyright is merely a formality to avail you a legal remedy should someone steal your work, and you'll note I said "work" here, not "idea"!

## "WORK FOR HIRE" AND THE EARLY DAYS OF THE COMICS INDUSTRY

Now that we've got copyright under our belt, let's examine "work for hire," what it is and why it became the *modus operandi* of the comic book business. "Work for hire" is simply an agreement under which a creator surrenders his inherent rights in creating a property (*hint: inherent is an important term here*) for immediate monetary compensation by another party. That said party, then, has full license to exploit that creation as they see fit, under the terms of the agreement.

It's an arrangement as old as Jacob and Esau, although casting comic book publishers as the crafty brother wrestling the claim to his brother's inheritance in a vulnerable moment is perhaps a bit heavy-handed. Though it may appear so in hindsight, no one, back in the day, saw any value in comics beyond a



# 2007 KIRBY TRIBUTE PANEL

(right) Moderator Mark Evanier, and (below, clockwise from left) Neil Gaiman, Darwyn Cooke, Erik Larsen, and Paul Levine. Photos courtesy of Stuart Ng.

(next page) We hope that any Simon & Kirby book deal will finally print the three unpublished *Stuntman* stories done in 1946; good stuff! Here's a page from "Jungle Lord."

Stuntman TM & ©2008 Joe Simon & Jack Kirby Estate.

Conducted on July 29, 2007 at Comic-Con International: San Diego  
Featuring Neil Gaiman, Darwyn Cooke, Erik Larsen, and Paul Levine  
Moderated by Mark Evanier • Transcribed & edited by John Morrow

(Editor's note: This panel took place more than a year ago, and since that time, books discussed like Mark Evanier's Kirby: King of Comics and Image Comics' Silver Star collection have already seen print. So if you missed them, be sure to seek them out at your local comics shop, or on Amazon.com.)

MARK EVANIER: I'm probably Mark Evanier, so this must be a Jack Kirby panel, right? (laughter) This is my eleventh panel of this convention, and it's the one that always means the most to me every year. Earlier this month, I was a guest of honor at a thing called the AnthroCon in Pittsburgh. This is a gathering of people who are into funny animals. They wear these giant furry costumes around; it's a beautiful, lovely convention, and I have a great time there. It's where people were asking me to autograph *Yogi Bear* instead of *DNAgents*. On the last day of the convention, I was wandering through the dealer's room, and something felt odd to me about it. And I suddenly realized, no one at that convention had asked me about Jack Kirby. It was the first time in my entire life that I've ever been at a convention and no one has come to me and said, "I want to talk about Jack Kirby." It was

fascinating; I don't necessarily approve of it, (laughter) but then, within 30 seconds of my realization, someone came up to me and said, "So what was the deal with the Black Racer?" (laughter)

Jack is everywhere; it's true, and it's amazing that we've been able to do these [panels]. We could not fill this room every year for anybody else at this con; this is even a larger room than we had last year. I've been to a lot of memorial panels; you know, you're not really dead until you're dead on my weblog. (laughter) I've done a whole bunch of these, and we've had trouble filling the room, even to a not embarrassing degree, some years when the person has just died. Now here it is, many, many years after Jack left us, and not only do we have this big crowd here, I'm going to be spending a big part of this panel talking about upcoming Kirby projects. Jack's in print more than he's ever been in his life. It's just stunning, and he's in print in quality, beautiful editions meant to be kept and treasured, often collecting books that people once told him were flops. Kirby's failures are now \$49.95 hardcovers; it's amazing.

Let me introduce our dais to you here. We may have one or two other people joining us before long. (cell phone rings from audience) And I will wait till the cell phone stops. (pause) And I'll turn off mine so I don't embarrass myself. (laughter) The gentleman to my left has been a friend of mine for many years. He came up to me night-before-last at the Eisner Awards, where he won 104 of them, (laughter) and was the hit of the evening, for reasons he would probably not want to discuss. [Editor's note: Neil Gaiman and Jonathan Ross brought the house down at the Eisners with a hilarious, ad-libbed presentation speech that is available for viewing on YouTube; it literally had tears streaming down this editor's face from laughing so hard, so check it out!] And he said, "Thank you for putting me on the Jack Kirby Panel; I always wanted to do something like that"; a fine writer, Mr. Neil Gaiman, ladies and gentlemen. (applause)

Jack lived long enough to see the phenomenon that was Image Comics. He got to see a group of young, energetic, creative people making a lot of money off their work, which mattered to him, but also taking control of it, becoming publishers, being the stud duck in the game, as it were. He loved that; Jack did not really have a jealous bone in his body. He wished it had happened earlier, that kind of opportunity, but he was very happy that it happened for all the Image guys, and they were in turn very, very nice to him. He was very impressed with the work of one of my favorite writer/artists, Mr. Erik Larsen. (applause)

If you were watching, you just saw me meet Darwyn Cooke for the first time, but I have admired this man's work for many years. And when they said to me, "Hey, Darwyn Cooke might like to be on the Jack Kirby Panel," I said, "Then I want Darwyn Cooke." Mr. Darwyn Cooke's on the Jack Kirby Panel. (applause)

The gentleman on the end is the lawyer for the Jack Kirby Estate, and he's also my attorney, and I feel it's important to





always keep my attorney within about eight feet of me. (laughter) Over the years, Jack got some very, very bad legal advice, very bad business advice; he had a lot of problems that many of you know about. But he was often rescued by, and his career put on much better track and his life was put on much better track, and now the Kirby Estate is in the very capable hands of, Mr. Paul Levine. (applause)

Now I'm going to come down there and play Phil Donahue for a minute. We have a number of people in the audience that are involved in Kirby-related projects, and I thought we'd get them all together rather than make them all schlep up on the stage. I'd like to introduce you to an editor, publisher, agent, packager, writer; it's Mr. Steve Saffel, ladies and gentlemen. (applause)

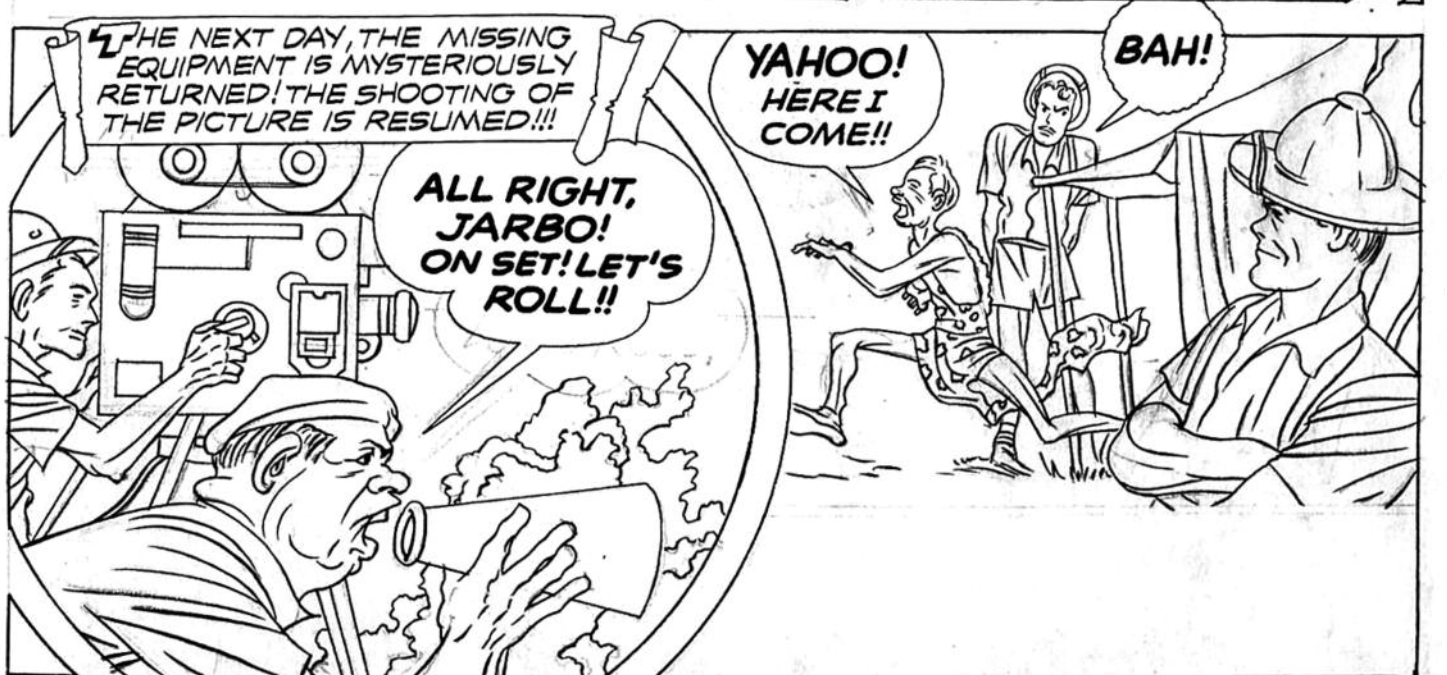
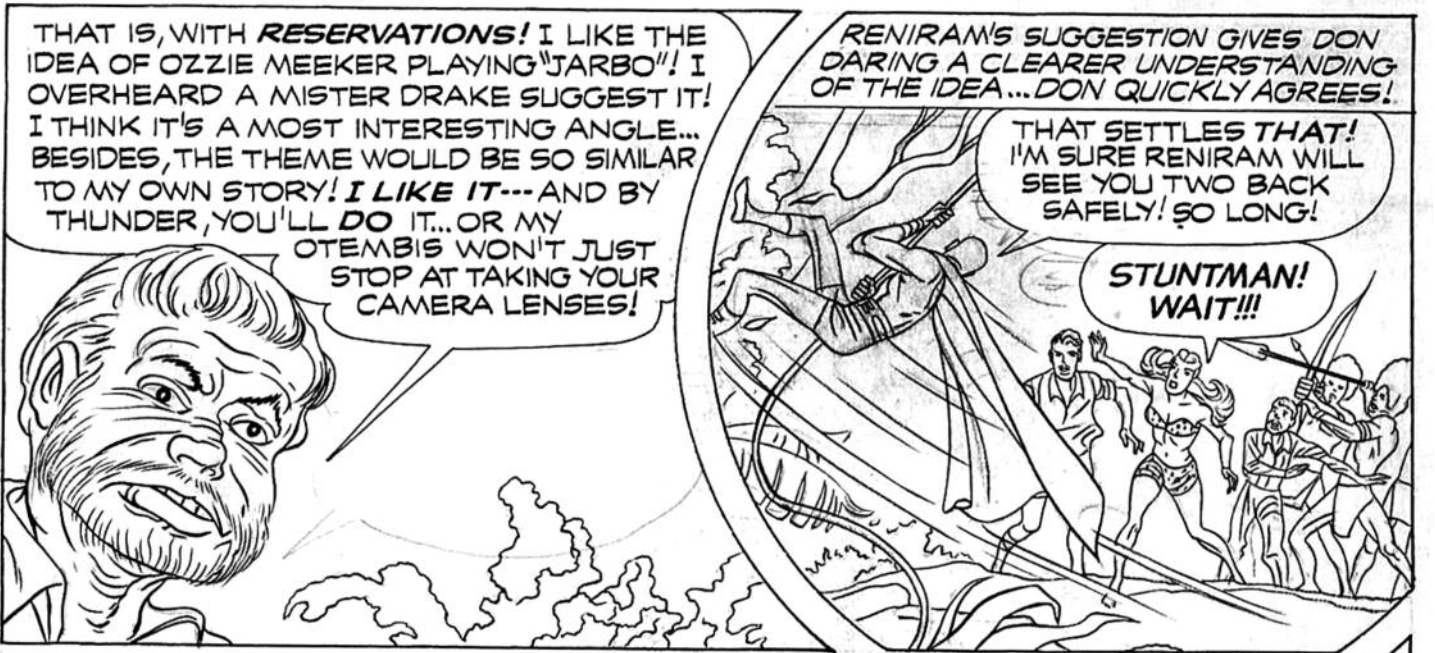
By the way, these historical-type panels here are preserved for posterity through the work of two men; this is Mr. Marc Svennson, ladies and gentlemen, and running one of the other cameras is Mr. Mike Catron. (applause) If you see these gentlemen, thank them, because otherwise all these wonderful panels where we get to hear the greats of the business, would be lost. For some reason, they even record my panels. (laughter)

Steve, you've got a letter.

STEVE SAFFEL: I do. Of all the strange things I've done, this is probably one of the most important. I'm a messenger. I have a statement that I want to read, and I'm going to do it slowly, because I get really nervous like this.

"The years that I worked with Jack Kirby were some of the most exciting years of my career in comics, and that's saying a lot. Jack and I got into the business when most of us were just trying to make a decent living. Yet we got to work in just about every genre; super-heroes, kid teams, war books, westerns, horror, and plenty more. Even romance comics; who'd have thought we'd be the guys who did the first romance comics? But we got to try just about everything. Jack Kirby was the guy who could do it all, and do it brilliantly.

"For years we lived across the street from each other on Long Island, each of us with a studio in the attic. There we doubled the pleasure, as we made comics and watched our families grow—me with my wife Harriet, Jack with his wife Roz. Other times we rented



space in Manhattan, working with other great artists like Mort Meskin and Bob Powell. Wherever we were, when Jack got ahold of the story, the page could hardly contain the action, the excitement, and the drama. His pencils were solid gold.

"Put simply, Jack was the finest storyteller the comics ever had. It was a privilege to know him, to work with him, and to call him my friend.

"Best, Joe Simon." (applause)

MARK: Now Steve, you are working with Joe Simon on a couple of projects, and he asked you to come in. Are you working with Joe on any upcoming

project that would excite this room greatly, and cause them to spend lots of money? (laughter)

STEVE: Yes. (laughter)

MARK: Can you tell us about them?

STEVE: No. (laughter) Actually, we're coming very close. The happy thing is Joe Simon, at age 93, is back in publishing. What you don't realize is that, Joe with Jack was truly the renaissance team. If you really go back to the early 1940s, Joe Simon and Will Eisner were probably among the few renaissance men who could do every aspect of comics. Joe





maintained that ability as an editor, writer, artist, packager, deal maker, for his entire life. And I can say that comfortably because he's still doing it. So all I can say is, keep an eye out over the next few months, and I think you guys are going to be *really* happy. (applause)

MARK: Thank you, Steve. And I know what that project is, and you guys are going to be really poor after it comes out. (laughter)

I phoned Joe a week or two ago, and we got on the subject of him being in his nineties. We got started on Al Hirshfeld, the great caricaturist, and he said, "Y'know, I've always admired Al Hirshfeld in his old age." And I said, "Oh, because he was still drawing?" And Joe said, "No, because he sued his agent." (laughter)

Let me introduce to you *another* Steve in the room, my partner when I was working for Jack. This is Mr. Steve Sherman, ladies and gentlemen. (applause) Say a few words for the Kirby intelligencia.

STEVE SHERMAN: Thank you all for coming. I think Jack would really be pleased to know so many people would still show up, even though he wasn't able to make it. (laughter) He would always kid about that. But thank you for coming. (applause)

MARK: Would you do me a favor, and make a lot of noise for Lisa Kirby? (sustained applause) Lisa is always shy about participating in these things.

What do I always tell you when you tell me you have nothing to say in front of these people?

LISA KIRBY: I'm speechless now. (laughter)

MARK: I tell you that this crowd loves you. (applause) They consider you one of Jack's finest co-creations. (laughter) Joe Simon and Stan had nothing to do with this one. (laughter, Lisa laughs) Roz never mentioned it anyway. (laughter) You are running the Kirby Estate at this time, working with Paul [Levine]. Is there anything upcoming that especially excites you?

LISA: First of all, as nervous as I am, I have to just thank everyone for being here. I've been here for a few years now, and I'm always really amazed how this is filling up a room. It means a lot to me and my family that people out there still remember my father, and enjoy his work, and that would mean a lot to him as well. Because his fans, he was so grateful, and so happy that he did the work that he did. He loved it, and he loved talking to people, and I know he was one of the first artists to come to the San Diego Convention. I was real young at the time, and they had to drag me here. Once we got here it was a lot of fun, but he loved it. My mother would have to drag him away from people, going, "You've got to rest!" But he loved it, and it meant a lot to

him, so I thank everyone for being here.

I have to thank Mark Evanier, who puts this on every year; it's amazing. He's such a big help to me, even during the year. If I have questions, I can call Mark, and he's always there for me. And John Morrow with the *Jack Kirby Collector*, Mike Thibodeaux, there's so many others that are behind the scenes that definitely deserve my thanks. I thank the lovely distinguished panel that is here today, and I hope everybody enjoys themselves. Thank you for being here. (applause)

MARK: Thank you, Lisa. Speaking of John Morrow, if there was ever a room where we didn't have to do a sales pitch for the *Jack Kirby Collector*, this is the publisher, Mr. John Morrow. (applause)

Is Anton Kawasaki here? Anton is the editor of DC's reprint volumes, and I'm sure you've all got the first volume of the Fourth World book. Anton's not here; I'm going to poll the room. How many people loved the paper stock in the Fourth World books? (very minor applause) How many people *don't* like the paper stock in the Fourth World books? (even less applause) Okay, how many people have no opinion whatsoever about it? (laughter) It's been very controversial. Bob, would you like to talk about this? This is Bob Wayne, who's in charge of everything at DC that matters. (applause)

BOB WAYNE: I could barely see you from back there; how could you see me? We're really pleased with the response to the first volume of the Fourth World book. Everything's moving along just fine on the subsequent three books. Don't tell anybody, but this is just the pilot; if this does well, there'll be more of the Kirby DC material in nice hardcover collections as well. (applause)

MARK: This is not an official announcement, but I think within about five years, DC will have everything Jack ever did for them in print, in hardcovers, full-color lovely editions. It all seems to be selling well, including, like I said, the books that at the time were considered failures. Whereas a lot of books that were considered hits at the time, are not being reprinted and not remembered that way. I'm getting a little emotional about this, the fact that Jack was always proven right. He was ahead of his time, sometimes he was ten years early with his material, but it seems to always click with people.

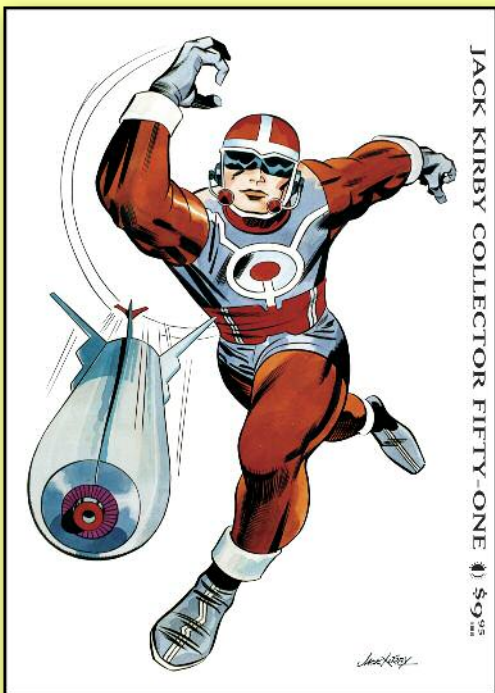
The last thing I'll mention briefly is, I have a book coming out this Fall, God willing, from Harry N. Abrams Publishing. They called me around February and said, "Our big Christmas book," which I think was something full of Picasso folios, or something of that nature, "fell off the schedule. We have a hole in our publishing, and we need a big, exciting book to go there. Can you put together a Jack Kirby book quickly?" And I, foolishly on some levels, said, "Sure I can." The book is still not to press, because as happens with Jack, we keep finding new things. We have found some amazing artwork to go in this. This is not necessarily a book of rare Kirby art. You will have seen much of this work before, although we have a couple of unpublished covers Jack did at Marvel that have never been seen, and some sketches he did as a kid. Lisa has been enormously helpful; is Mike Thibodeaux here? Mike's been tracking down stuff, and a lot of people have given me wonderful stuff. At this convention, people are coming up to me, offering me pieces of artwork that *have* to be in the book, which is very exciting. We're still redesigning it, we're still



This unused cover for *X-Men* #10, inked by Chic Stone, really needs no explanation. Just enjoy!  
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